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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

JUL - 3 2009

SAN FRANCISCO
PUBLIC LIBRARY

City Hall, Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 7, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty	Wednesday 1:30 PM
Budget and Finance Subcommittee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Campos, Mirkarimi	1st and 3rd Monday 11:00 AM
Rules Committee Supervisors Daly, Chu, Campos	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendations of the Budget and Finance Committee

1. 090701 **[Setting Patient Rates - effective July 1, 2009]**
Mayor
Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2009.

6/30/2009, PASSED ON FIRST READING.
Question: **Shall this Ordinance be FINALLY PASSED?**

2. 090702 **[Emergency Medical Services Fees]**
Mayor
Ordinance amending the San Francisco Health Code by amending Section 901 and adding Section 914.5, and amending San Francisco Business and Tax Regulations Code Section 249.8, to amend definitions, add fees and a Certificate of Participation requirement for facilities that receive patients through ambulance service providers, and making environmental findings.

6/30/2009, PASSED ON FIRST READING.
Question: **Shall this Ordinance be FINALLY PASSED?**

3. 090703 **[Chain Restaurant Surcharge]**

Mayor

Ordinance adding Section 249.21 to the Business and Tax Regulations Code to impose a surcharge on chain restaurants that qualify as food facilities under State law to recover the Department of Public Health's costs of enforcing California Health and Safety Code Sec. 114094 regarding disclosure of nutritional and calorie content information, adding provisions for the Controller to adjust fees annually, and making environmental findings.

6/30/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 090711 **[Recreation and Park Department - Clubhouses and Gymnasiums Fees]**

Mayor

Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.21 to increase the fees at the Clubhouses and Gymnasiums, to eliminate the reservation fee and making environmental findings.

6/30/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 090713 **[Recreation and Park - Day Camp Fees]**

Mayor

Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.15 to increase fees for Day Camps and making environmental findings.

6/30/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 090714 **[Recreation and Park - Kezar Parking Lot Fees]**

Mayor

Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.08 to increase fees for parking in the lot at the Kezar Stadium and making environmental findings.

6/30/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 090718 **[Recreation and Park Department - Japanese Tea Garden Fees]**

Mayor

Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.05 to add a non-resident entrance fee for the Japanese Tea Garden and making environmental findings.

6/30/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 090720 **[Recreation and Park - Conservatory of Flowers Fees]**

Mayor

Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.34 to add a non-resident entrance fee for the Conservatory of Flowers and making environmental findings.

6/30/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Mar, Chiu

9. 090367 **[Planning Code Amendment - Philanthropic Administrative Service Use; Zoning Map Amendment - 2503 Clay Street]**
Supervisor Alioto-Pier
Ordinance amending the San Francisco Planning Code by adding Section 790.107 to define a Philanthropic Administrative Service Use and by adding 718.85 to the Zoning Control Table in Section 718 to authorize a Philanthropic Administrative Service Use as a permitted use in the Upper Fillmore Street Neighborhood Commercial District; amending Sheet ZN02 of the Zoning Maps of the City and County of San Francisco to change the zoning for Assessor's Block 0630, Lot 032 (2503 Clay Street) from RH-2 to Upper Fillmore Street NCD; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

6/30/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

10. 090627 **[Extending the duration of the Film Rebate Program and limiting the rebate available to film productions for police services]**
Supervisors Alioto-Pier, Dufty
Ordinance amending Administrative Code Section 57.8 by extending the Film Rebate Program through June 30, 2012, and modifying the definition of "qualified production cost" in order to limit rebates available to film productions for the use of certain police services.

6/30/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

11. 090712 **[Recreation and Park Department - Aquatic Facilities Fees]**
Mayor
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.40 to increase the fees at the Aquatic facilities and making environmental findings.

6/30/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

12. 090717 **[Recreation and Park Department - Athletic Field Fees]**
Mayor
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.36 to increase the fees for use of Athletic Fields and making environmental findings.
(Supervisor Mirkarimi dissented in Committee.)

6/30/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

13. 090719 **[Recreation and Park Department - Latch Key and Afterschool Programs Fees]**
Mayor
Ordinance amending San Francisco Park Code, Article 12, by amending Section 12.30 to increase fees for Latchkey and Afterschool programs and making environmental findings.

6/30/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Maxwell

14. 090740 **[Resolution urging Attorney General Jerry Brown to reject evidence gained through the use of torture]**
Supervisors Mar, Maxwell, Mirkarimi, Daly
Resolution urging Attorney General Jerry Brown to reject evidence gained through the use of torture and to drop the charges against the "San Francisco 8" defendants.

6/16/2009, CONTINUED. Continued to July 7, 2009.
Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

15. 090697 **[Increasing Street Artist Certificate Fee]**
Mayor
Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 090705 **[Fees for Fire Department Services and Permits - Fire Code]**
Mayor
Ordinance amending Sections 112.2, 112.3, 112.7, 112.8, 112.9, 112.10, 112.11, 112.15, 112.17, 112.18, 112.19 and Tables 112-A, 112-B and 112-C of Appendix Chapter 1 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits and to add additional permits, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 090706 **[Fees for Fire Department emergency medical services]**
Mayor
Ordinance amending Section 128.1 of the San Francisco Health Code to increase fees for Fire Department emergency medical services and to update the language regarding fee changes in subsequent fiscal years, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 090707 **[Increasing and establishing certain Fire Department licensing fees]**
Mayor
Ordinance amending Sections 90, 93, 93.1, 94, 120, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247 of the San Francisco Business and Tax Regulations Code to increase or establish and set licensing fees for certain permits issued by the Fire Department and adding Sections 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234 and 235 to establish and set fees for additional Fire Department licenses, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 090708 **[Increasing Fire Department fees for street fairs]**
Mayor
Ordinance amending Section 6.6 of the San Francisco Transportation Code to increase fees for Fire Department services, permits and inspections related to street fairs, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 090710 **[Sale of combustion turbines]**
Mayor, Supervisor Mirkarimi
Ordinance authorizing the Public Utilities Commission, working in conjunction with the City Attorney, to sell the four combustion turbines transferred to the City as part of the Williams Settlement in a manner that maximizes the public benefits to the City consistent with the State Agreements.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 090721 [Medical Examiner's Fees for Copies of Documents and Certain Services]

Mayor

Ordinance amending Section 8.14 of the S.F. Administrative Code to increase the Medical Examiner's Fees for Copies of Documents and Certain Services and adding fees for new services.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 090722 [Public Works Code - Increasing Tree Removal Permit Fees]

Mayor

Ordinance amending Section 806 of the Public Works Code to increase the fees charged for removal of street trees under the Urban Forestry Ordinance from $267 to $607, for a permit to remove 1-3 street trees to allow for development or construction; from $267 to $300, for a permit to remove 1-3 street trees to prevent sidewalk damage or to remove hazards; from $360 to $808, for a permit to remove 4-9 street trees; and from $565 to $1,214, for a permit to remove 10 or more street trees; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 090724 [Establishing a Cigarette Litter Abatement Fee]

Mayor

Ordinance amending the San Francisco Administrative Code (1) by adding a new Chapter 105 to establish a Cigarette Litter Abatement Fee of $0.20 per pack of cigarettes sold in San Francisco to recover the cost of abating cigarette litter from City streets, sidewalks, and other public property and (2) by adding a new Section 10.100-70 to establish an Environment Cigarette Litter Abatement Fund; amending the San Francisco Health Code, Article 19H, Section 1009.60 to allow the Director of the Department of Public Health to suspend a tobacco sales permit and impose administrative penalties for failure to pay the Cigarette Litter Abatement Fee; amending Article 6 of the San Francisco Business and Tax Regulations Code to include the Cigarette Litter Abatement Fee; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 090800 [Establishing Carbon Mitigation Program]

Mayor, Supervisor Dufty

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 52 to establish the San Francisco Carbon Mitigation Program administered by the Department of the Environment to reduce or offset local greenhouse gas emissions; and making environmental findings.

(Supervisor Chu dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 090817 [Public Education Enrichment Fund for FY 2009-2010 - San Francisco Children and Families Commission]

Supervisors Avalos, Dufty, Mirkarimi

Resolution approving the San Francisco Children and Families Commission expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2009-2010.

Question: Shall this Resolution be ADOPTED?

26. 090818 [Public Education Enrichment Fund for FY 2009-2010 - San Francisco Unified School District]
Supervisors Avalos, Dufty, Mirkarimi
Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for Fiscal Year 2009-2010.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

27. 090318 [Planning Code-Landmark Designation of 2055 Union Street (Metro Theater)]
Supervisor Alioto-Pier
Ordinance designating 2055 Union Street (Metro Theater), Assessor's Block No. 0541, Lot No. 018, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code 101.1(b) and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

28. 090109 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 717 Battery Street/350 Pacific Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated December 19, 2008, that a project at 717 Battery Street/350 Pacific Avenue (Case No. 2007.1460E) (Building Permit Application Nos. 2003.02.12.7271; 2005.04.21.0598 (UMB retrofit); and 2005.0321.8084 (two-story vertical addition) is exempt from environmental review under Categorical Exemption, Class 32 [State CEQA Guidelines, Section 15332]. The proposal would add to and rehabilitate the Musto Building, to expand the existing office use and provide ground-floor commercial and restaurant space. The project site (Assessor's Block 0165, Lot 022) is within a C-2 (Community Business) Use District, and in a 65-A Height and Bulk District, and in a Special Use District-the Washington-Broadway Special Use District No. 2. (Appellant: Susan Brandt-Hawley on behalf of San Francisco Preservation Action.)

(Filed January 30, 2009; Companion to Files 090110, 090111, 090112; District 3.)

3/3/2009, CONTINUED. The President inquired as to whether any member of hte public wished to address the Board members. There were none.
The President declared the public hearing closed.

Continued to April 7, 2009.

4/7/2009, CONTINUED. The President inquired as to whether any member of hte public wished to address the Board members. There were none.
The President declared the public hearing closed.

Continued to May 12, 2009.

5/12/2009, CONTINUED. The President inquired as to whether any member of the public wished to address the Board members. There were none.
The President declared the public hearing closed.

Continued to July 7, 2009.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

29. 090110 **[Affirming the Categorical Exemption issued for the 717 Battery Street/350 Pacific Avenue project]**
Motion affirming the determination by the Planning Department that the 717 Battery Street/350 Pacific Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

3/3/2009, CONTINUED. Continued to April 7, 2009.
4/7/2009, CONTINUED. Continued to May 12, 2009.
5/12/2009, CONTINUED. Continued to July 7, 2009.
Question: Shall this Motion be APPROVED?

30. 090111 **[Disapproving the Categorical Exemption issued for the 717 Battery Street/350 Pacific Avenue project]**
Motion disapproving the determination by the Planning Department that the 717 Battery Street/350 Pacific Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

3/3/2009, CONTINUED. Continued to April 7, 2009.
4/7/2009, CONTINUED. Continued to May 12, 2009.
5/12/2009, CONTINUED. Continued to July 7, 2009.
Question: Shall this Motion be APPROVED?

31. 090112 **[Preparation of findings related to the 717 Battery Street/350 Pacific Avenue project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 717 Battery Street/350 Pacific Avenue is exempt from environmental review under the California Environmental Quality Act.

3/3/2009, CONTINUED. Continued to April 7, 2009.
4/7/2009, CONTINUED. Continued to May 12, 2009.
5/12/2009, CONTINUED. Continued to July 7, 2009.
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, July 2, 2009 at 10 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 7, 2009.

(Only one of the following two motions should be approved.)

32. 090603 [Appointment, Historical Preservation Commission - James Buckley]
Motion approving the Mayor's nomination for appointment of James Buckley to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined.
(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090604. Transmittal date – May 18, 2009.)

Question: Shall this Motion be APPROVED?

33. 090604 [Appointment, Historical Preservation Commission - James Buckley]
Motion rejecting the Mayor's nomination for appointment of James Buckley to the Historical Preservation Commission, Seat No. 4, for a two-year term ending date to be determined.
(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090603. Transmittal date – May 18, 2009.)

Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be approved.)

34. 090788 [Appointment, Historical Preservation Commission - Andrew Wolfram]
Motion approving the Mayor's nomination for appointment of Andrew Wolfram to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined.
(Clerk of the Board)
(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090789. Transmittal date – June 4, 2009.)

Question: Shall this Motion be APPROVED?

35. 090789 [Appointment, Historical Preservation Commission - Andrew Wolfram]
Motion rejecting the Mayor's nomination for appointment of Andrew Wolfram to the Historical Preservation Commission, Seat No. 2, for a two-year term ending date to be determined.
(Section 4.135 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 090788. Transmittal date – June 4, 2009.)

Question: Shall this Motion be APPROVED?

36. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

37. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 38 through 41

38. 090863 **[Support for the passing of Assembly Concurrent Resolution No. 42 (Fong; Chinese Americans in California)]**

Supervisors Mar, Chiu

Resolution supporting Assembly Concurrent Resolution No. 42 (Fong) that recognizes the extraordinary hardships of Chinese in California as a result of systematic discriminatory practices implemented at the legislative level, which conflict with the principles upon which our country was founded.

6/30/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 090864 **[Celebrating the 20th anniversary of San Francisco Animal Care & Control]**

Supervisor Mar

Resolution celebrating the 20th anniversary of San Francisco Animal Care & Control.

6/30/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 090865 **[Denouncing the coup de etat in Honduras and urging the Honduran government and the international community to support democratic, transparent elections that respect human rights, national sovereignty and democracy]**

Supervisors Campos, Avalos, Daly, Mar, Maxwell, Mirkarimi, Dufty

Resolution denouncing the coup de etat against the duly elected President of Honduras and urging the Honduran government and international community to support democratic elections that respect human rights, national sovereignty, and economic sustainability that leads to conditions of peace and democracy.

6/30/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 090777 **[Final Map - 30-36 Guerrero Street; 1927 Market Street]**
Motion approving Final Map 4747, a three Residential Unit and one Commercial Unit Mixed-Use Condominium Project, also being a Subdivision of that real property, located at 30 – 36 Guerrero Street, 1927 Market Street being a subdivision of Lots 002 and 005 in Assessors Block No. 3501 and adopting findings pursuant to the General Plan and City Planning Code Section 101.
(Public Works Department)
(DPW Order 178,223; District 8.)

6/26/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda:

42. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 23, 2009, to June 29, 2009, for reference by President to appropriate committee on July 7, 2009.

090845 **[Settlement of Lawsuit - Yao Tondo - $140,000.00]**
Ordinance authorizing settlement of the lawsuit filed by Yao Tondo as successor in interest to decedent Joe Tondo against the City and County of San Francisco for $140,000.00; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. 463-946; entitled Yao Tondo as successor in interest to decedent Joe Tondo v. City and County of San Francisco, et al.
(City Attorney)

6/26/2009, RECEIVED AND ASSIGNED to Rules Committee.

090846 **[Settlement of Lawsuit - Mai Tai Investors L.P., et al. - $40,000]**
Ordinance authorizing settlement of the lawsuit filed by Mai Tai Investors L.P., et al. against the City and County of San Francisco for $40,000; the lawsuit was filed on March 12, 2009, in San Francisco Superior Court, Case No. CGC-09-486061; entitled Mai Tai Investors L.P., et al., v. City and County of San Francisco, et al.
(City Attorney)

6/26/2009, RECEIVED AND ASSIGNED to Rules Committee.

090847 **[Settlement of Lawsuit - Tony Nguyen, dba MicroLan - $100,000.00]**
Ordinance authorizing settlement of the lawsuit filed by Tony Nguyen, dba MicroLan, against the City and County of San Francisco for $100,000.00; the lawsuit was filed on December 10, 2007, in the San Francisco Superior Court, Case No. 469890; entitled Tony Nguyen, dba MicroLan v. City and County of San Francisco, et al.
(City Attorney)

6/26/2009, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 23, 2009, to June 29, 2009, for reference by President to appropriate committee on July 7, 2009.

090848 **[Emergency contract to repair Fireboat Pier 22 1/2]**
Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60, to repair Fireboat Pier 22 1/2.
(Public Works Department)

6/29/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090880 [Petitions and Communications]

Petitions and Communications received from June 23, 2009, through June 29, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 7, 2009.

From Animal Care and Control Department, submitting request for waiver of Administrative Code Chapter 12B for Idexx Distribution Corp. (1)

From Animal Care and Control Department, submitting request for waiver of Administrative Code Chapter 12B for ADT Security Service. (2)

From Office of the Controller, submitting an audit report on Wells Fargo Bank, that has an agreement with the Airport Commission to provide automated teller machine services on Airport property. (3)

From Asthma Task Force, regarding the Asthma Task Force general fund expenditures for FY 2008-2009, and requesting an add-back request for FY 2009-2010. (4)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from June 24, 2009, until June 26, 2009. Supervisor Carmen Chu will service as Acting Mayor. (5)

From concerned citizens, urging the Board of Supervisors to conduct an investigation of the Building Inspection Department. (6)

From concerned citizens, commenting on proposed budget cuts to the Fire Department. Copy: Each Supervisor, 17 letters (7)

From Monette-Shaw, commenting that "Mayor Newsom raids $1 million in Community Living Funds (CLF) for the elderly and disabled San Franciscans served at Laguna Honda Hospital." (8)

From Phoebe Williams, commenting on various subjects. (9)

From Department of Children, Youth and Their Families, submitting list of sole source contracts for FY 2008-2009. (10)

From Gerald Wolf, commenting on the proposed "rent freeze" legislation. File No. 090278, Copy: Each Supervisor (11)

From James Keys, submitting support for the "Renters Economic Relief Package" passed at the full Board of Supervisors meeting on June 23, 2009. File Nos. 090277, 090278, 090279, Copy: Each Supervisor (12)

From Film Commission, submitting support for extending the duration of the Film Rebate Program and limiting the rebate available to film productions for certain police services. Copy: Budget and Finance Committee (13)

From Aaron Goodman, submitting copy of memo sent to the Planning Department EIR Officer Bill Wycko. (14)

From Stephanie Feiring, submitting opposition to proposed budget cuts to the Public Defender's Office. Copy: Each Supervisor (15)

From concerned citizens, submitting support for restoring Sharp Park to a natural area. (16)

From Ahimsa Sumchai, regarding Supervisor Dufty and the number of resolutions memorializing his constituents. Copy: Each Supervisor (17)

From Eula Walters, regarding her request that the Planning Department reverse their decision to use "downtown funds" in the amount of $1,712,000 for renovation of Ferry Park. (18)

From American Heart Association, regarding California Pacific Medical Center's proposal to upgrade and modernize health care facilities in San Francisco. Copy: Each Supervisor (19)

From Paul Platt, submitting opposition to the nomination of Anson Moran to the Public Utilities Commission. File No. 090768, Copy: Rules Committee (20)

From State Department of Health Care Services, verifying that San Francisco County has been allocated $268,374 in State General funds for the San Francisco County Health and Disability Prevention Program for FY 2008-2009. (21)

From Bicycle Advisory Committee, submitting resolution adopted on May 28, 2009, endorsing the 2009 San Francisco Bicycle Plan by unanimous accord. Copy: Each Supervisor (22)

From American Federation of Television and Radio Artists Screen Actors Guild, urging the Board of Supervisors to support amending the "Scene in San Francisco" Rebate Program by extending the Film Rebate Program through June 30, 2012; and modifying the definition of "qualified production cost" in order to limit rebates available to film productions for the use of certain police services. File No. 090627, Copy: Each Supervisor (23)

From Alvin Johnson, requesting an explanation from the Civil Service Commission concerning their alleged "irresponsible" behavior regarding the disregard for veterans who have lodged a civil complaint of unfair and discriminatory employment practices, compensation discrimination and retaliation. Copy: Each Supervisor (24)

From concerned citizens, urging the Board of Supervisors to restore funding to the Public Defender's Office so that the office can adequately represent its clients. 77 postcards (25)

From concerned citizens, submitting opposition to putting parking meters in Golden Gate Park. Copy: Each Supervisor (26)

From Dianne Feinstein, thanking the Board of Supervisors for providing her with a copy of the resolution in support of the "Uniting American Families Act" (S.424). (27)

From Office of the City Administrator, regarding the San Francisco Clean-up Project. (Reference No. 20090616-002) (28)

From concerned citizens, commenting on proposed budget cuts. File No. 090779, 3 letters (29)

From Paul Burke, commenting on the lack of any coherent policy to address graffiti vandals on the MUNI system. (30)

From Department of Emergency Management, urging the Board of Supervisors to adopt the proposed resolutions that authorize City officials the ability to execute Homeland Security Grants. Copy: Each Supervisor, File Nos. 090741, 090742 (31)

From Bonnie Spark, requesting information for residents of the City for alternative parking due to the proposed additional bicycle lanes. (32)

From concerned citizens, submitting opposition to the construction of a new library building on the triangle site at Lombard Street and Columbus Avenue in North Beach. 2 letters (33)

From Bob Jacklevich, commenting how the Board of Supervisors approach the public during the Public Comment portions of hearings and proceedings. Copy: Each Supervisor (34)

From SF County Civil Grand Jury, submitting report entitled "Nonprofits, The Good, The Bad, The Ugly." Copy: Each Supervisor, File No. 090844 (35)

From James Corrigan, commenting on the Firefighter's Memorandum of Understanding. Copy: Each Supervisor, File No. 090679 (36)

From US Army Corps of Engineers, submitting public notice regarding information to current and potential in-lieu fee mitigation providers and requirements for existing in-lieu fee providers to adapt their programs to current requirements. (37)

From State Fish and Game Commission, submitting public notice of proposed regulatory action relating to marine protected areas. (38)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

09-09-09P04:10 RCVD

GOVERNMENT
DOCUMENTS DEPT

JUL - 9 2009

SAN FRANCISCO
PUBLIC LIBRARY

City Hall, Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 14, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty	Wednesday 1:30 PM
Budget and Finance Subcommittee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Campos, Mirkarimi	1st and 3rd Monday 11:00 AM
Rules Committee Supervisors Daly, Chu, Campos	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings. For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the June 9, 2009, and June 16, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note. Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

1. 090697 **[Increasing Street Artist Certificate Fee]**
Mayor
Ordinance amending Article 24 of the San Francisco Police Code by amending Section 2404.1 to increase the fee for a Street Artist Certificate and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. 090705 [Fees for Fire Department Services and Permits - Fire Code]

Mayor

Ordinance amending Sections 112.2, 112.3, 112.7, 112.8, 112.9, 112.10, 112.11, 112.15, 112.17, 112.18, 112.19 and Tables 112-A, 112-B and 112-C of Appendix Chapter 1 of the San Francisco Fire Code to increase fees for certain Fire Department services and permits and to add additional permits, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 090706 [Fees for Fire Department emergency medical services]

Mayor

Ordinance amending Section 128.1 of the San Francisco Health Code to increase fees for Fire Department emergency medical services and to update the language regarding fee changes in subsequent fiscal years, and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 090707 [Increasing and establishing certain Fire Department licensing fees]

Mayor

Ordinance amending Sections 90, 93, 93.1, 94, 120, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247 of the San Francisco Business and Tax Regulations Code to increase or establish and set licensing fees for certain permits issued by the Fire Department and adding Sections 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234 and 235 to establish and set fees for additional Fire Department licenses, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 090708 [Increasing Fire Department fees for street fairs]

Mayor

Ordinance amending Section 6.6 of the San Francisco Transportation Code to increase fees for Fire Department services, permits and inspections related to street fairs, to become operative on its effective date or on July 1, 2009, whichever is later, and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 090721 [Medical Examiner's Fees for Copies of Documents and Certain Services]

Mayor

Ordinance amending Section 8.14 of the S.F. Administrative Code to increase the Medical Examiner's Fees for Copies of Documents and Certain Services and adding fees for new services.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 090722 **[Public Works Code - Increasing Tree Removal Permit Fees]**

Mayor

Ordinance amending Section 806 of the Public Works Code to increase the fees charged for removal of street trees under the Urban Forestry Ordinance from $267 to $607, for a permit to remove 1-3 street trees to allow for development or construction; from $267 to $300, for a permit to remove 1-3 street trees to prevent sidewalk damage or to remove hazards; from $360 to $808, for a permit to remove 4-9 street trees; and from $565 to $1,214, for a permit to remove 10 or more street trees; and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 090724 **[Establishing a Cigarette Litter Abatement Fee]**

Mayor

Ordinance amending the San Francisco Administrative Code (1) by adding a new Chapter 105 to establish a Cigarette Litter Abatement Fee of $0.20 per pack of cigarettes sold in San Francisco to recover the cost of abating cigarette litter from City streets, sidewalks, and other public property and (2) by adding a new Section 10.100-70 to establish an Environment Cigarette Litter Abatement Fund; amending the San Francisco Health Code, Article 19H, Section 1009.60 to allow the Director of the Department of Public Health to suspend a tobacco sales permit and impose administrative penalties for failure to pay the Cigarette Litter Abatement Fee; amending Article 6 of the San Francisco Business and Tax Regulations Code to include the Cigarette Litter Abatement Fee; and making environmental findings.

7/7/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 090651 **[Memorandum of Understanding between the Treasure Island Development Authority and the Office of the City Administrator]**

Mayor

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Memorandum of Understanding appointing the City, acting by and through the Office of the City Administrator, as its agent to provide the services to carry out the Authority's operations and provide oversight to the Treasure Island Project Office for the term beginning July 1, 2009.

Question: Shall this Resolution be ADOPTED?

10. 090738 **[Accept and Expend Federal Grant - Port Commission - $1,800,000]**

Mayor

Resolution authorizing the San Francisco Port Commission to accept and expend $1,800,000 in Federal American Recovery and Reinvestment Act grant funds from the State Water Resources Control Board to fund utility infrastructure improvements at the Pier 45 fish processing facility.

Question: Shall this Resolution be ADOPTED?

11. **090796** **[Recurring FY 2009-2010 State grant funds to the Department of Public Health]**
Supervisor Dufty
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2009-2010.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

12. **090318** **[Planning Code-Landmark Designation of 2055 Union Street (Metro Theater)]**
Supervisor Alioto-Pier
Ordinance designating 2055 Union Street (Metro Theater), Assessor's Block No. 0541, Lot No. 018, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code 101.1(b) and environmental findings.

7/7/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present. Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

13. 090710 **[Sale of combustion turbines]**

Mayor, Supervisor Mirkarimi

Ordinance authorizing the Public Utilities Commission, working in conjunction with the City Attorney, to sell the four combustion turbines transferred to the City as part of the Williams Settlement in a manner that maximizes the public benefits to the City consistent with the State Agreements.

7/7/2009, PASSED ON FIRST READING AS DIVIDED. Supervisor Alioto-Pier moved to divide the question relating to "b) Concurrent with the preparation of the CTs for sale in Fiscal Year 2009-2010, authorized in this ordinance, the PUC is instructed to analyze the feasibility of local cogeneration projects. If any of these projects demostrates initial feasibility and environmental benefit, and requires purchase from the City of a CT unit, the PUC is instructed to report to the Mayor and Board of Supervisors on what actions would allow for consideration of this project or projects" located on Page 2, Line 24, through Page 3, Line 4.

The question relating to "feasibility for sale in Fiscal Year 2009-2010" was passed as divided by the following vote:
Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Alioto-Pier

The question relating to the remainder of this item was passed as divided by the following vote:
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Question: Shall this Ordinance be FINALLY PASSED?

14. 090800 **[Establishing Carbon Mitigation Program]**

Mayor, Supervisor Dufty

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 52 to establish the San Francisco Carbon Mitigation Program administered by the Department of the Environment to reduce or offset local greenhouse gas emissions; and making environmental findings.

(Supervisor Chu dissented in Committee.)

7/7/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2009 nor later than August 1, 2009.)

15. 090778 [Annual Salary Ordinance, FY 2009-2010]

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 090779 [Consolidated Budget and Annual Appropriation Ordinance, FY 2009-2010]

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for FY ending June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 090585 **[Safe Streets and Road Repair General Obligation Bond Election - $368,000,000]**
Mayor, Supervisors Chiu, Dufty, Mar, Campos
Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3, 2009, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $368,000,000 to finance the resurfacing of roads, repair of sidewalks and street structures, and the redesign of streetscapes to include curb ramps and other pedestrian safety features and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act, ("CEQA"); finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 – 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 090716 **[Recreation and Park-Parking]**
Mayor
Ordinance amending the Article 6 of the Park Code by adding Section 6.14 to authorize the San Francisco Municipal Transportation Agency to identify areas located on property under the jurisdiction of the Recreation and Park Commission that are suitable for paid parking; to set rates for such parking; and to develop and implement a parking management plan for park property, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 090837 **[Penalty for alcohol content testing in Driving Under the Influence cases]**
Mayor
Ordinance amending the San Francisco Administrative Code by adding Section 8.14-1, to impose an additional $50 penalty for violation of certain Vehicle Code sections to pay for alcohol testing by the Medical Examiner.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 090694 [Treasure Island Development Authority Budget, FY 2009-2010]

Mayor

Resolution approving the Budget of the Treasure Island Development Authority for FY 2009-2010. (Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Chu, Campos

21. 090767 [Appointment, Public Utilities Commission - Anson Moran]

Motion confirming the Mayor's appointment of Anson Moran to the Public Utilities Commission, Seat 4, for the unexpired portion of a two-year term ending August 1, 2010
(Clerk of the Board)

(Charter Section 4.112(a) provides that the Board of Supervisors shall confirm appointment by a majority (six votes) of the Board of Supervisors; companion measure to File 090768. Transmittal date – June 1, 2009.)

(Supervisor Campos dissented in Committee.)

Question: Shall this Motion be APPROVED?

22. 090882 [Appointments, Association of Bay Area Government - Supervisors John Avalos and Ross Mirkarimi]

Motion appointing Supervisors John Avalos and Ross Mirkarimi, terms ending June 30, 2011, to the Association of Bay Area Governments Executive Board.

Question: Shall this Motion be APPROVED?

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

23. 090608 [Charter Amendment - Allowing the Board of Supervisors to designate certain appropriations as mandates to expend the money appropriated]

Supervisor Daly

Charter Amendment (Second Draft) to amend Sections 9.103 and 9.104 to allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, requiring the relevant City departments to report to the Board on their plans for expenditure of the money appropriated, and allowing the Mayor to reject or reduce an appropriation identified as mandatory, and to reject the designation of the appropriation as mandatory with or without reducing the amount of the appropriation.

(Supervisor Chu dissented in Committee.)

Question: Shall this Charter Amendment be SUBMITTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

The President may entertain a motion to continue the following File Nos. 090812, 090813, 090814, 090815 to August 4, 2009.

24. 090812 **[Public Hearing - Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17880 dated May 14, 2009, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2007.0128CV), under Planning Code Sections 209.3, 303, and 317 to allow an existing private secondary school (the Drew School), to expand its facility and enrollment cap, and to demolish an existing 3-unit building within an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District, on property located at 2901 California Street/1831-1835 Broderick Street, Lot Nos. 003 and 095 in Assessor's Block 1029. (Appellant: Stephen M. Williams on behalf of the Pacific Heights Residents Association and the Western Addition Neighborhood Association)
(Filed 6/15/09; Companion measure to Files 090813, 090814, 090815; District 2.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

25. 090813 [Approving Planning Commission decision related to Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]

Motion approving decision of the Planning Commission by its Motion No. 17880, approving Conditional Use Application 2007.0128CV on property located at 2901 California Street/1831-1835 Broderick Street – Drew School Addition Project, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

26. 090814 [Disapproving Planning Commission decision related to Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]

Motion disapproving decision of the Planning Commission by its Motion No. 17880, approving Conditional Use Application 2007.0128CV on property located at 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

27. 090815 [Preparation of findings related to the Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2007.0128CV on property located at 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project, for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Special Meeting on Monday, July 13, 2009, at 10 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 14, 2009.

28. 090783 [Settlement of Lawsuit - Jane Martin and David Baker - $190,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Jane Martin and David Baker against the City and County of San Francisco for $190,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 090811 **[Settlement of Lawsuit - Craig Yates and Richard Skaff - $312,000]**

Ordinance authorizing settlement of multiple lawsuits filed by Craig Yates and Richard Skaff against the City and County of San Francisco and San Francisco Uptown Parking Corporation for $312,000; further authorizing settlement of San Francisco's cross-claims against San Francisco Parking, Inc., d/b/a City Park for $150,000 to be paid to the City and County of San Francisco; the lawsuits entitled: (1) Craig Yates v. Union Square, et al., Case No. C07-4087-JSW, filed August 9, 2007, in the United States District Court, Northern District of California; (2) Craig Yates v. Union Square, et al., Case No. CGC-08-473176, filed March 11, 2008, in San Francisco Superior Court; (3) Richard Skaff v. Union Square, et al., Case No. 08-CV-2555-JSW, filed May 20, 2008, in the United States District Court, Northern District of California; and (4) Richard Skaff v. Union Square, et al., Case No. CGC-08-475516, filed May 20, 2008, in San Francisco Superior Court.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 090845 **[Settlement of Lawsuit - Yao Tondo - $140,000]**

Ordinance authorizing settlement of the lawsuit filed by Yao Tondo as successor in interest to decedent Joe Tondo against the City and County of San Francisco for $140,000; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. 463-946; entitled Yao Tondo as successor in interest to decedent Joe Tondo v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 090846 **[Settlement of Lawsuit - Mai Tai Investors L.P., et al. - $40,000]**

Ordinance authorizing settlement of the lawsuit filed by Mai Tai Investors L.P., et al. against the City and County of San Francisco for $40,000; the lawsuit was filed on March 12, 2009, in San Francisco Superior Court, Case No. CGC-09-486061; entitled Mai Tai Investors L.P., et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 090847 **[Settlement of Lawsuit - Tony Nguyen, dba MicroLan - $100,000]**

Ordinance authorizing settlement of the lawsuit filed by Tony Nguyen, dba MicroLan, against the City and County of San Francisco for $100,000; the lawsuit was filed on December 10, 2007, in the San Francisco Superior Court, Case No. 469890; entitled Tony Nguyen, dba MicroLan v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 090784 **[Settlement of Unlitigated Claim - Freda Quimbo - $70,000]**

Resolution approving the settlement of the unlitigated claim filed by Freda Quimbo against San Francisco for $70,000; claim was filed on February 11, 2009.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

34. 090831 [Settlement of Potential Litigation - George Boutros - $25,000]

Resolution authorizing settlement of potential litigation with George Boutros, individually and in his representative capacity as Trustee of The Boutros Family Trust, related to encroachments on San Francisco Public Utilities Commission Right of Way easements that cross Boutros residential property located at 90 Sea Cliff Avenue, San Francisco, CA.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

35. 090606 [Charter Amendment - Eliminating the 48.7-hour limit on the work week for firefighters]

Supervisor Avalos

Charter Amendment (First Draft) to amend Section A8.452 to: (1) eliminate the 48.7-hour limitation on the work week for uniformed officers and member of the Fire Department, (2) establish a work week of at least 52 hours, on an annualized basis, for uniformed officers and members assigned to fire fighting companies and units, with the minimum 52-hour work week requirement to be effective for any amendment or extension to the Memorandum of Understanding (MOU) between the City and County of San Francisco (City) and the San Francisco Fire Fighters Union Local 798 (Union) in effect July 1, 2007 through June 30, 2011, and for the successor MOU and each MOU between the City and Union thereafter, and (3) eliminate superseded language setting holiday schedule and compensation requirements for firefighters; and by adding Section A8.590-9 to provide that the work week for firefighters assigned to fire fighting companies and units shall be governed by Section A8.452 and not be subject to binding interest arbitration under Charter Section A8.590-5.

Question: Shall this Charter Amendment be SUBMITTED?

36. 090622 [Charter Amendment - Instituting two-year budgetary cycle, providing for the adoption of a five-year financial plan and imposing a deadline of May 15th for submission of MOUs for miscellaneous and safety employees to the Board of Supervisors.]

Mayor, Supervisors Chiu, Mirkarimi, Avalos, Campos

Charter Amendment (First Draft) to amend Sections 2.103, 2.108, 2.117, 3.105, 9.100, 9.101, 9.102, 9.103, 9.104, 9.113, 9.113.5, 9.114, 11.100, A8.409-4, A8.590-5, A8.590-8, 16.112, and Article XVII, and adding Sections 9.119, 9.120, and 9.121 to institute a "rolling" two-year budgetary cycle (the City would adopt a new two-year budget each year), allow the Board of Supervisors to convert the rolling two-year budgetary cycle for some or all departments into a "fixed" two-year cycle (each two-year budget would stay in effect for two years), impose a deadline of June 30th for the Board of Supervisors to approve or adopt new terms and conditions of employment for miscellaneous or safety employees if those terms and conditions are to be effective during the upcoming fiscal year, require that City departments, including the Board of Supervisors, post various notices on the departments' websites and eliminate the requirement that the departments publish such notices in the City's official newspaper, and allow the Controller to certify the availability of funds based on the expectation that funds will become available during the course of the budgetary cycle.

Question: Shall this Charter Amendment be SUBMITTED?

37. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

38. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.
Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 39 through 43

39. 090890 **[Supporting Assembly Bill 155 (Mendoza), a bill to prevent unnecessary municipal bankruptcies]**

Supervisor Alioto-Pier

Resolution supporting Assembly Bill 155 (Mendoza) to prevent unnecessary municipal bankruptcies in California.

7/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 090891 **[Accept and Expend State Grant - Office of the Public Defender - $100,583]**

Supervisor Campos

Resolution authorizing the San Francisco Public Defender's Office to accept and expend a grant in the amount of $100,583 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

7/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 090892 [Mortgage Revenue Bonds]

Supervisors Daly, Mirkarimi

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $75,000,000 for the 220 Golden Gate Avenue Development (as such project is defined herein); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $75,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

7/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 090893 [Accept and Expend Federal Funds - Department of the Environment - $60,000]

Supervisor Mar

Resolution authorizing the Department of the Environment to accept and expend funds from the United States Department of Energy's Office of Energy Efficiency and Renewable Energy Vehicle Technologies Program in the amount of $60,000 to support San Francisco's Clean Cities Coalition Program and its work related to reducing petroleum use and improving air quality in the City and County of San Francisco.

7/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 090894 [Apply for funds from the Clean Water State Revolving Fund for the Newcomb Avenue Streetscape Project]

Supervisor Maxwell

Resolution authorizing the San Francisco Planning Department to apply for funds from the State of California Clean Water State Revolving Fund for streetscape, traffic calming, and green stormwater improvements along the 1700 Block of Newcomb Avenue.

7/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

44. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 30, 2009, to July 6, 2009, for reference by President to appropriate committee on July 14, 2009.

090867 **[Zoning - Planning Code amendments in connection with the 2009 Bicycle Plan]**
Ordinance amending the San Francisco Planning Code by amending Sections 155, 155.1, 155.4, and 155.5 in connection with the 2009 Bicycle Plan; and making various findings, including environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Planning Department)

6/30/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/30/2009.

090868 **[Bicycle Plan adoption and related General Plan amendments]**
Ordinance adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan; adopting environmental findings and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; and authorizing official acts in connection thereto.
(Planning Department)

6/30/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/30/2009.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 30, 2009, to July 6, 2009, for reference by President to appropriate committee on July 14, 2009.

090869 **[Approval of SFPUC New Irvington Tunnel Construction Management Contract]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-918, New Irvington Tunnel Construction Management Services, with Hatch Mott MacDonald, for an amount not to exceed $15,000,000 with a term of up to five (5) years, pursuant to San Francisco Charter Section 9.118.
(Public Utilities Commission)

7/6/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090883 **[Airport Concession Lease]**
Resolution approving Amendment No. 3 to the Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

7/6/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090884 **[Dissolution of San Francisco Airport Improvement Corporation]**
Resolution approving the dissolution of the San Francisco Airport Improvement Corporation, the appointment of directors, and related matters.
(Airport Commission)

7/6/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090905 [Petitions and Communications]

Petitions and Communications received from June 30, 2009, through July 6, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 14, 2009.

From concerned citizen, submitting opposition to closing any fire stations in San Francisco. (1)

From concerned citizens, submitting support to restore funding to the Public Defender's Office. 5 postcards (2)

From Office of the Clerk of the Board, submitting list of sole source contracts received from various city departments entered into during FY 2008-2009. (3)
Airport Commission
Board of Supervisors/Clerk of the Board's Office
Employees' Retirement System
Department on the Status of Women

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from July 3, 2009, until July 6, 2009. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor (4)

From Planning Department, submitting notice of preparation of an Environmental Impact Report for the Glen Park Community Plan. (5)

From Office of the Sheriff, submitting request for waiver of Administrative Code Chapter 12B for Rapid Notify, Inc. (6)

From concerned citizens, submitting opposition to removing bus stops in the Tenderloin area of San Francisco. Copy: Each Supervisor, 2 letters (7)

From Office of the Public Defender, submitting request for waiver of Administrative Code Chapter 12B for Chevron USA, Inc. (8)

From Office of the Clerk of the Board, regarding the Diversity Tracking System. (9)

From Office of the Clerk of the Board, submitting report showing that the Clerk of the Board of Supervisors' Office did not receive any gifts in FY 2008-2009. (10)

From Department of Public Health, submitting status report on the San Francisco Health Care Security Ordinance. (11)

From Office of the Controller, submitting report concerning the concession audit of the Airport Management Services, LLC. (12)

From SF County Civil Grand Jury, submitting report entitled "Being Propositioned by the SF Unified School District." Copy: Each Supervisor (13)

From Department of the Environment, submitting annual attendance reports for the Urban Forestry Council, Urban Forestry Council Planning and Funding Committee, Urban Forestry Council Landmark Tree Committee, Biodiesel Access Task Force and the Biodiesel Access Task Force Marine Committee. Copy: Each Supervisor (14)

From Department of the Environment, submitting the annual report for the Resource Conservation Ordinance. Copy: Each Supervisor (15)

From concerned citizens, submitting support for restoring Sharp Park to a natural area. Copy: Each Supervisor, 9 letters (16)

From concerned citizens, submitting support for preserving the historic 18-hole Sharp Park Golf Course. Copy: Each Supervisor, 7 letters (17)

From Bay Area Air Quality Management District, submitting public notice of the proposed new or modified source of air pollution at the Phillip Burton Federal Building at 450 Golden Gate Avenue. (18)

From Department of Public Works, regarding status of removing graffiti from utility poles at various locations in District 5. (Reference No. 20090512-009) (19)

From Department of Public Works, regarding status of removing graffiti from public property at various locations in District 5. (Reference No. 20090428-007) (20)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 20090609-011) (21)

From Department of Public Works, regarding status of removing graffiti from utility poles at various locations in District 5. (Reference No. 2009028-006) (22)

From Marilyn Amini, requesting the Board of Supervisors reconsider legislation that was finally passed on June 16, 2009, regarding Amended Certificates of Final Completion and Occupancy of existing buildings. File No. 090026 (23)

From Art Ritchie, submitting copy of letter sent to the Rent Board regarding rent control laws in San Francisco. (24)

From Judith Robinson, submitting opposition to the so-called tenants' rights bill passed out of the Board of Supervisors, sponsored by Supervisor Chris Daly. Copy: Each Supervisor (25)

From Francisco Da Costa, submitting letter entitled "Holocaust in the Bayview Hunters Point" dated July 5, 2009. (26)

From Francisco Da Costa, regarding the Bay Area Air Quality Management District and the Bayview Hunters Point community. (27)

From Karen Lipney, submitting support for proposed ordinance that extends the "Scene in San Francisco" Rebate Program. File No. 090627 (28)

From David, regarding the housing and homeless problems in San Francisco. Copy: Each Supervisor (29)

From Kim Rohrbach, regarding budget cuts to San Francisco's health and human services budget. File No. 090779 (30)

From Office of the City Administrator, regarding revenue generated by the Office of Labor Standards and staffing changes in the past year. (31)

From State Fish and Commission, submitting notice of proposed emergency regulatory action relating to Pacific herring open ocean commercial fishing regulations. (32)

From Vallangca-Walsh, regarding the hardship the passage of the "mandatory recycling and composting ordinance" has on her as an 87 year old woman. File No. 081404 (33)

From T-Mobile, submitting notification letter regarding intent to construct a cellular facility at 1453 Mission Street. (34)

From Verizon Wireless, submitting notification letter regarding intent to construct a cellular facility at 45 West Portal Avenue. (35)

From Emil Lawrence, regarding city employees and union contracts. Copy: Each Supervisor (36)

From concerned citizens, submitting various comments regarding the proposed budget for San Francisco. File No. 090779, Copy: Each Supervisor, 6 letters (37)

From Coalition on Homelessness, submitting opposition to any homeless programs cuts. Copy: Each Supervisor (38)

From James Corrigan, submitting letter entitled "Chief Hayes-White threatens to brown-out a busy Chinatown Engine Company." Copy: Each Supervisor, File No. 090779 (39)

From Patrick Monette-Shaw, submitting letter entitled: "Restore Mayor Newsom's raid of $1 million from the Community Living Fund." Copy: Each Supervisor (40)

From Patrick Monette-Shaw, submitting letter entitled: "Laguna Honda Hospital's public relations campaign usurps direct patient care." File No. 090779, Copy: Each Supervisor, 2 letters (41)

From Matthew Shelton, submitting request for a Type 42 on-sale beer and wine liquor license for Shelton Theater Limited Liability Company at 533 Sutter Street. Copy: City Operations and Neighborhood Services Committee, File No. 090851 (42)

From Budget Analyst, submitting the Budget Analyst Activity Status Report for the quarter ending June 30, 2009. (43)

From State Board of Equalization, submitting their annual report for FY 2007-2008. (44)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

07-16-09P04:44 RCVD

GOVERNMENT
DOCUMENTS DEPT

JUL 16 2009

SAN FRANCISCO
PUBLIC LIBRARY

City Hall, Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 21, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty	Wednesday 1:30 PM
Budget and Finance Subcommittee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Campos, Mirkarimi	1st and 3rd Monday 11:00 AM
Rules Committee Supervisors Daly, Chu, Campos	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the June 23, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.
Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

1. 090716 **[Recreation and Park-Parking]**
Mayor
Ordinance amending Article 6 of the Park Code by adding Section 6.14 to authorize the San Francisco Municipal Transportation Agency to identify areas located on property under the jurisdiction of the Recreation and Park Commission that are suitable for paid parking; to set rates for such parking; and to develop and implement a parking management plan for park property, and making environmental findings.

7/14/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. 090837 **[Penalty for alcohol content testing in Driving Under the Influence cases]**
Mayor
Ordinance amending Administrative Code by adding Section 8.14-1, to impose an additional $50 penalty for violation of certain Vehicle Code sections to pay for alcohol testing by the Medical Examiner.

7/14/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

3. 090735 **[Approving contract between the SFMTA and TJPA for Transbay Transit Center services]**
Supervisor Daly
Resolution approving Contract No. CS –159 between the San Francisco Municipal Transportation Agency and the Transbay Joint Powers Authority for Transbay Transit Center program services. (Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

4. 090765 **[80 Charter Oak Street Lease Amendment]**
Resolution authorizing a Lease Amendment to extend the term for five years for real property at 80 Charter Oak Street for the San Francisco Municipal Transportation Agency.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

5. 090786 **[Lease of Real Property at 160 South Van Ness Avenue]**
Resolution authorizing the Director of Property to exercise an extension option for a 7-year term for the lease of real property located at 160 South Van Ness Avenue, San Francisco, for the Human Services Agency.
(Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Chu, Dufty

6. 090861 **[Accept and Expend State Grant - Department of Public Works - $333,000]**
Mayor
Resolution authorizing the Department of Public Works to accept and expend State Transportation Development Act (TDA) Article 3 funds totaling $333,000 for various pedestrian projects in the City and County of San Francisco in FY 2009-2010.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly

7. 090661 **[Liquor License - 900 North Point, Suite D100]**
Resolution determining that the issuance of a Type 57 special on-sale general liquor license to Jane Echlin, for Cocoa Residential Owners Association Inc. dba Fairmont Heritage Place, Ghirardelli Square located at 900 North Point, Suite D100, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Daly, Campos, Chiu

8. 090783 **[Settlement of Lawsuit - Jane Martin and David Baker - $190,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Jane Martin and David Baker against the City and County of San Francisco for $190,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

7/14/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

9. 090811 **[Settlement of Lawsuit - Craig Yates and Richard Skaff - $312,000]**

Ordinance authorizing settlement of multiple lawsuits filed by Craig Yates and Richard Skaff against the City and County of San Francisco and San Francisco Uptown Parking Corporation for $312,000; further authorizing settlement of San Francisco's cross-claims against San Francisco Parking, Inc., d/b/a City Park for $150,000 to be paid to the City and County of San Francisco; the lawsuits entitled: (1) Craig Yates v. Union Square, et al., Case No. C07-4087-JSW, filed August 9, 2007, in the United States District Court, Northern District of California; (2) Craig Yates v. Union Square, et al., Case No. CGC-08-473176, filed March 11, 2008, in San Francisco Superior Court; (3) Richard Skaff v. Union Square, et al., Case No. 08-CV-2555-JSW, filed May 20, 2008, in the United States District Court, Northern District of California; and (4) Richard Skaff v. Union Square, et al., Case No. CGC-08-475516, filed May 20, 2008, in San Francisco Superior Court.
(City Attorney)

7/14/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 090845 **[Settlement of Lawsuit - Yao Tondo - $140,000]**

Ordinance authorizing settlement of the lawsuit filed by Yao Tondo as successor in interest to decedent Joe Tondo against the City and County of San Francisco for $140,000; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. 463-946; entitled Yao Tondo as successor in interest to decedent Joe Tondo v. City and County of San Francisco, et al.
(City Attorney)

7/14/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 090846 **[Settlement of Lawsuit - Mai Tai Investors L.P., et al. - $40,000]**

Ordinance authorizing settlement of the lawsuit filed by Mai Tai Investors L.P., et al. against the City and County of San Francisco for $40,000; the lawsuit was filed on March 12, 2009, in San Francisco Superior Court, Case No. CGC-09-486061; entitled Mai Tai Investors L.P., et al., v. City and County of San Francisco, et al.
(City Attorney)

7/14/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 090847 **[Settlement of Lawsuit - Tony Nguyen, dba MicroLan - $100,000]**

Ordinance authorizing settlement of the lawsuit filed by Tony Nguyen, dba MicroLan, against the City and County of San Francisco for $100,000; the lawsuit was filed on December 10, 2007, in the San Francisco Superior Court, Case No. 469890; entitled Tony Nguyen, dba MicroLan v. City and County of San Francisco, et al.
(City Attorney)

7/14/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2009 nor later than August 1, 2009.)

13. 090778 **[Annual Salary Ordinance, FY 2009-2010]**
Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

7/14/2009, CONTINUED ON FIRST READING. Continued to July 21, 2009.
Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 090779 **[Consolidated Budget and Annual Appropriation Ordinance, FY 2009-2010]**
Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for FY ending June 30, 2010.

7/14/2009, CONTINUED ON FIRST READING. Continued to July 21, 2009.
Question: Shall this Ordinance be PASSED ON FIRST READING?

Board of Supervisors Sitting as a Committee of the Whole

15. **090585** **[Safe Streets and Road Repair General Obligation Bond Election - $368,000,000]**
Mayor, Supervisors Chiu, Dufty, Mar, Campos
Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3, 2009, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $368,000,000 to finance the resurfacing of roads, repair of sidewalks and street structures, and the redesign of streetscapes to include curb ramps and other pedestrian safety features and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act, ("CEQA"); finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 – 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.
(Fiscal Impact.)

7/14/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
7/14/2009, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

Present: Supervisors Daly, Chu, Campos

16. 090608 **[Charter Amendment - Allowing the Board of Supervisors to designate certain appropriations as mandates to expend the money appropriated]**

Supervisor Daly

Charter Amendment (Second Draft) to amend Sections 9.103 and 9.104 to allow the Board of Supervisors to mandate the expenditure of identified appropriations for particular programs or activities, requiring the relevant City departments to report to the Board on their plans for expenditure of the money appropriated, and allowing the Mayor to reject or reduce an appropriation identified as mandatory, and to reject the designation of the appropriation as mandatory with or without reducing the amount of the appropriation.

(Supervisor Chu dissented in Committee.)

7/14/2009, CONTINUED. Continued to July 21, 2009.

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Daly, Campos, Chiu

17. 090622 **[Charter Amendment - Instituting two-year budgetary cycle, providing for the adoption of a five-year financial plan and imposing a deadline of May 15th for submission of MOUs for miscellaneous and safety employees to the Board of Supervisors.]**

Mayor, Supervisors Chiu, Mirkarimi, Avalos, Campos

Charter Amendment (First Draft) to amend Sections 2.103, 2.108, 2.117, 3.105, 9.100, 9.101, 9.102, 9.103, 9.104, 9.113, 9.113.5, 9.114, 11.100, A8.409-4, A8.590-5, A8.590-8, 16.112, and Article XVII, and adding Sections 9.119, 9.120, and 9.121 to institute a "rolling" two-year budgetary cycle (the City would adopt a new two-year budget each year), allow the Board of Supervisors to convert the rolling two-year budgetary cycle for some or all departments into a "fixed" two-year cycle (each two-year budget would stay in effect for two years), impose a deadline of June 30th for the Board of Supervisors to approve or adopt new terms and conditions of employment for miscellaneous or safety employees if those terms and conditions are to be effective during the upcoming fiscal year, require that City departments, including the Board of Supervisors, post various notices on the departments' websites and eliminate the requirement that the departments publish such notices in the City's official newspaper, and allow the Controller to certify the availability of funds based on the expectation that funds will become available during the course of the budgetary cycle.

7/14/2009, CONTINUED. Continued to July 21, 2009.

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

18. 090698 [Planning Fee Procedures and Adjustments]
Mayor
Ordinance amending the San Francisco Planning Code by amending Article 3.5 to increase fees to recover costs for monitoring conditions of approval, code violation abatement, and the General Advertising Sign Program; establish a fee for Department facilitated pre-application meetings; modify refund procedures; modify the indigent fee waiver provision; clarify phased collections and payment deferment; establish a new processing fee for phased payments; and adopting Section 302 and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 090737 [Approval of Sustainable Crushing Ventures, LLC Lease]
Supervisor Maxwell
Resolution approving the Port Commission Lease No. L-14705 with Sustainable Crushing Ventures, LLC, for a five year term with a five year extension option for certain real property located at Pier 94, Seawall Lot 352 in the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

20. 090855 [Assessment Ballots for City Parcels, for the proposed renewed and expanded Greater Union Square Business Improvement District]
Supervisor Chiu
Resolution authorizing the Mayor to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco, as the owner of four parcels of real property that would be subject to assessment in the proposed renewed and expanded property and business improvement district to be named the Greater Union Square Business Improvement District.

Question: Shall this Resolution be ADOPTED?

21. 090834 [California Public Employees' Retirement System (CalPERS) Contract Amendment]
Supervisor Elsbernd
Resolution of intention to approve an amendment to contract between the Board of Administration, California Public Employees' Retirement System (CalPERS), and the Board of Supervisors, City and County of San Francisco.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

22. 090766 **[1975-1999 Bryant Street Lease Amendment]**
Resolution authorizing, retroactively, a Lease Amendment to extend the term for five years for real property at 1975-1999 Bryant Street for the San Francisco Municipal Transportation Agency.
(Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

23. 090787 **[Lease of Real Property at 100 Larkin Street]**
Resolution authorizing the lease of 683 square feet of space to the Nasra Family Partnership, in the Main Library located at 100 Larkin Street, San Francisco, on behalf of the San Francisco Public Library.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

(A unanimous vote is required for adoption of this resolution today.)

24. 090184 **[Declaring emergency under California Constitution Article XIIIC, Section 2(b) authorizing submission to voters of ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]**
Supervisors Chiu, Dufty, Mirkarimi
Resolution declaring an emergency under California Constitution Article XIIIC, Section 2(b) and authorizing submission of Ordinance that adopts and submits to the voters an ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that State law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if State law authorizes the City to impose it and directing its submission as a general tax measure for voter approval at the November 3, 2009, general municipal election.

Question: Shall this Resolution be ADOPTED?

25. 090136 [Measure adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]

Supervisors Chiu, Dufty, Mirkarimi

Ordinance adopting and submitting to the voters the ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that state law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if state law authorizes the City to impose it and directing submission of the measure for voter approval at the November 3, 2009 general municipal election.

(Economic Impact)

4/21/2009, SUBSTITUTED. Supervisor Chiu submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 090134 [0.50% Sales Tax Increase for Health and Human Services and Public Protection]

Supervisor Avalos

Ordinance amending the San Francisco Business and Tax Regulations Code to add Article 16-A to provide support for health and human services and public protection to residents of the City and County of San Francisco by imposing a transactions (sales) and use tax at the rate of one-half of one percent (0.50%) for a period of three (3) years, to be administered by the State Board of Equalization in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code; adopting an expenditure plan; and directing submission of the tax for voter approval at the November 3, 2009, election.

(Economic Impact)

2/24/2009, RE-REFERRED to Budget and Finance Committee.

6/9/2009, SUBSTITUTED. Supervisor Avalos submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly

27. 090419 [Increasing prize limit for charitable bingo games]

Supervisors Dufty, Avalos, Campos, Elsbernd

Ordinance amending Section 3201 of the San Francisco Police Code to increase the maximum allowable prize for any charitable bingo game from $250 to $500, and to make nonsubstantive changes clarifying the applicability of requirements regarding the use of bingo proceeds.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

28. 090809 **[Street Artist Spaces - 17th Street at Castro and Market Streets]**
Supervisor Dufty
Resolution approving designation for six (6) months of eight (8) temporary selling spaces in "mini-plaza" on 17th Street at Castro and Market Streets for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces from the regulation of Police Code Section 2405(c)(11) relating to distance between street artists; said spaces subject to Board of Supervisors review.
(Arts Commission)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

29. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

30. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 31 through 37

31. 090890 [Supporting Assembly Bill 155 (Mendoza), a bill to prevent unnecessary municipal bankruptcies]

Supervisor Alioto-Pier

Resolution supporting Assembly Bill 155 (Mendoza) to prevent unnecessary municipal bankruptcies in California.

7/7/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/14/2009, CONTINUED. Continued to July 21, 2009.

Question: Shall this Resolution be ADOPTED?

32. 090910 [Accept and Expend Grant - Department of Public Health - $10,676]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from Public Health Foundation Enterprises, Inc., in the amount of $10,676 to provide project management and collaboration services for the period of March 1, 2009, through August 31, 2009.

7/14/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 090911 [Accept and Expend Grant - Department of Public Health - $90,463]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from Public Health Foundation Enterprises, Inc., in the amount of $90,463 to oversee and coordinate the research project for the period of April 10, 2009, through March 31, 2010.

7/14/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 090857 [Final Map - 1888 Geneva Avenue]

Motion approving Final Map 3865, a 48 Unit Residential Condominium Project, located at 1888 Geneva Avenue being a subdivision of Lot 236 in Assessors Block No. 6423 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 178,238; District 11,)

7/8/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

35. 090858 **[Final Map - 559, 567-569 Vallejo Street and 66 Fresno Street]**

Motion approving Final Map 5033, a Two Airspace Subdivision: Parcel "A" being a 5 Unit Residential Condominium Project and Parcel "B" being a One Lot Airspace, located at 559, 567-569 Vallejo Street and 66 Fresno Street, being a subdivision of Lot 047 in Assessors Block No. 0145 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 178,239; District 3,)

7/8/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

36. 090900 **[Final Map - Hunters Point Shipyard - Phase 1 Hilltop]**

Motion approving Final Map No. 4231, a 154-lot subdivision for condominium purposes, being a 901 unit residential and 2 unit commercial condominium project within the Hunters Point Shipyard Redevelopment Plan; approving a Public Improvement Agreement and certain offers of dedication related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Hunters Point Shipyard Redevelopment Plan and Plan Documents.
(Public Works Department)
(DPW Order 178,237; District 10.)

7/10/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

37. 090901 **[Final Map - Hunters Point Shipyard - Phase 1 Hillside]**

Motion approving Final Map No. 5255, a 131-lot subdivision for condominium purposes, being a 397 unit residential condominium project within the Hunters Point Shipyard Redevelopment Plan; approving a Public Improvement Agreement and certain offers of dedication related to the Final Map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Hunters Point Shipyard Redevelopment Plan and Plan Documents.
(Public Works Department)
(DPW Order 178,238; District 10.)

7/10/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda: _____

38. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 7, 2009, to July 13, 2009, for reference by President to appropriate committee on July 21, 2009.

090895 **[Settlement of Lawsuit - Linda Caratti - $$80,000]**
Ordinance authorizing settlement of the lawsuit filed by Linda Caratti against the City and County of San Francisco for $80,000; the lawsuit was filed on August 28, 2008, in San Francisco Superior Court, Case No. 479214; entitled Linda Caratti, v. City and County of San Francisco, et al.; other material terms of said settlement are the City and San Francisco Zoological Society agree to a mutual release of claims for indemnification.
(City Attorney)

7/7/2009, RECEIVED AND ASSIGNED to Rules Committee.

090896 **[Settlement of Lawsuit - John Williams - $27,000]**
Ordinance authorizing settlement of the lawsuit filed by John Williams against the City and County of San Francisco for $27,000; the lawsuit was filed on September 5, 2008, in San Francisco Superior Court, Case No. 479-512; entitled John Williams v. City and County of San Francisco, et al.
(City Attorney)

7/7/2009, RECEIVED AND ASSIGNED to Rules Committee.

090897 **[Settlement of Lawsuit - Benson Chen - $75,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Benson Chen against the City and County of San Francisco for $75,000; the lawsuit was filed on November 2, 2007, in San Francisco Superior Court, Case No. 468791; entitled Benson Chen v. City and County of San Francisco, et al.
(City Attorney)

7/7/2009, RECEIVED AND ASSIGNED to Rules Committee.

090898 **[Settlement of Lawsuit - Yue Kong Kam - $102,327.06]**
Ordinance authorizing settlement of the lawsuit filed by Yue Kong Kam against the City and County of San Francisco for $102,327.06; the lawsuit was filed on June 19, 2008, in San Francisco Superior Court, Case No. 476-544; entitled Yue Kong Kam, et al. v. City and County of San Francisco, et al.
(City Attorney)

7/9/2009, RECEIVED AND ASSIGNED to Rules Committee.

090899 **[Settlement of Lawsuits - United States of America - $7,000,000]**
Ordinance authorizing settlement of the two lawsuits filed by the United States of America against the City and County of San Francisco for $7,000,000; the two lawsuits were filed on August 22, 2005, and September 6, 2007, in the United States District Court for the Eastern District of California, Case No. 2:05 CV 01693 entitled United States of America v. City and County of San Francisco, et al. and Case No. 1:07 CV 01300 entitled United States of America v. City and County of San Francisco, et al. and appropriating $7,000,000 of fund balance from the Hetch Hetchy Fund for this purpose.
(City Attorney)

PROPOSED RESOLUTIONS

Proposed resolution received from July 7, 2009, to July 13, 2009, for reference by President to appropriate committee on July 21, 2009.

090823 **[Authorization for continued membership in 18 County CalWIN Consortium]**
Resolution amending Resolution No. 1094-99 passed on December 6, 1999, to continue authority for the Department of Human Services to continue its membership in the 18 County CalWIN Consortium and authorizing the Director of the Human Services Agency to execute the necessary agreements for participation in the consortium's continued development, implementation, maintenance and operation of a computer system for the administration of public benefit programs in accordance with State requirements. This resolution will expand the expenditure authority from $29,419,538 for an additional amount of $13,110,600 from July 1, 2010, through July 31, 2013. The total project budget including this extension is $42,530,138. Please note: State and Federal reimbursement is at 92% of $42,530,138. County general fund portion is $3,402,241 from 1999 through 2013. The County general fund portion for the extension period is $1,048,848.
(Human Services Department)
(Fiscal Impact.)

6/17/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.
7/10/2009, SUBSTITUTED. Department of Human Services submitted a substitute resolution bearing new title.
7/10/2009, ASSIGNED to Budget and Finance Committee.

090922 **[Petitions and Communications]**

Petitions and Communications received from July 7, 2009, through July 13, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 21, 2009.

From Department of Elections, regarding certification for the Mid-Market Special Sign District Initiative Petition. Copy: Each Supervisor (1)

From Office of the Clerk of the Board, submitting list of sole source contracts received from various city departments entered into during FY 2008-2009. (2)
Department of Technology
District Attorney
Public Utilities Commission
Office of the Treasurer and Tax Collector
Recreation and Park Department
Department of Public Works

From James Chaffee, regarding the Federal governments new website to make public records on government spending more accessible. (3)

From Shona, regarding the Federal Justice Department's decision not to raid medical marijuana clubs. (4)

From Airport Commission, submitting request for waiver of Administrative Code Chapter 12B for Chevron USA, Inc. (5)

From Airport Commission, submitting request for waiver of Administrative Code Chapter 12B for Nixon Egli Equipment Company. (6)

From Airport Commission, submitting request for waiver of Administrative Code Chapter 12B for Oshkosh Trucking Corporation. (7)

From concerned citizens, submitting opposition to proposed legislation that would establish a Cigarette Litter Abatement Fee. File No. 090724, 13 letters (8)

From concerned citizens, submitting support for restoring Sharp Park to a natural area. Copy: Each Supervisor, 4 letters (9)

From concerned citizens, submitting support for preserving the historic 18-hole Sharp Park Golf Course. Copy: Each Supervisor, 20 letters (10)

From Office of the Clerk of the Board, submitting notice that the Office of the Clerk of the Board did not receive any "Watch Law" requests during FY 2008-2009. (11)

From Office of the Sheriff, submitting request for waiver of Administrative Code Chapter 12B for San Bruno Garbage Company. (12)

From concerned citizens, submitting opposition to proposed legislation regarding implementation of parking fees in City parks. File No. 090716, 2 letters (13)

From Capital Planning Committee, submitting recommendation on (1) the Eastern Neighborhoods Infrastructure Finance Working Group Final Report and (2) authorization of resolution to accept and expend the American Recovery and Reinvestment Act of 2009 grant funds for Local Street and Road Rehabilitation Projects. Copy: Each Supervisor (14)

From Richard Skaff, regarding the Department of Building Inspections Dimensional Tolerance Policy. Copy: Each Supervisor (15)

From Patrick Monette-Shaw, commenting that before any further strategic public policy decisions are made, an inventory of the capacity of current skilled nursing home beds in San Francisco must be kept updated and monitored closely, and evaluated against the expected gap between supply and demand. (16)

From Francisco Da Costa, regarding the relationship between the Bay Area Air Quality Management District and the Bayview Hunters Point community. (17)

From Frederick Stills, regarding the new homeless shelter policy of 14 days, and then a 90 day stay, afterwards. Copy: Each Supervisor (18)

From Eula Walters, submitting opposition to demolishing the bridge between Ferry Park and the Maritime Park Plaza. Copy: Each Supervisor (19)

From Martin Winderl, commenting on the quality of life and the anti-business stance in San Francisco. Copy: Each Supervisor (20)

From Abdalla Megahed, regarding the proposed budget for the City and County of San Francisco. (21)

From State Assemblywoman Fiona Ma, urging the State Public Utilities Commission to preserve the uniform state-wide service rates of California's Lifeline program. (22)

From Stephen Heersink, commenting that San Francisco is no longer liberal or tolerant, much less democratic, but is competing to be as progressive as the former U.S.S.R. before it fell into oblivion. (23)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for Safeway, Inc. (24)

From Department of Technology, reporting that the Department of Technology received a check for $375,000 from Comcast Cable Communications on July 1, 2009, for funding of cable public access operations. (Reference No. 20090519-004) (25)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interest for Jamie Cantwell, Legislative Assistant to Supervisor David Chiu, Assuming. (26)

From Office of the Mayor, submitting letter vetoing four pieces of legislation that amend the Rent Ordinance, pending in File Nos. 090276, 090277, 090278, and 090279; finally passed on June 30, 2009. Copy: Each Supervisor, City Attorney (27)

From James Miller, suggesting that monitoring Golden Gate Park's entrances and issuing timed parking slips as is done in parking garages would eliminate the need to install meters everywhere in the park. File No. 090779, Copy: Each Supervisor (28)

From Pieratt, submitting opposition to proposal to install parking meters in Golden Gate Park. File No. 090779, Copy: Each Supervisor (29)

From Police Department, submitting request for waiver of Administrative Code Chapter 12B for Fleetcor Technologies dba Chevron. (30)

From Human Services Agency, submitting an update on the Human Services Agency implementation of JOBS NOW, the subsidized employment program funded with Federal stimulus dollars. File No. 090820, Copy: Budget and Finance Clerk (31)

From US Army Corps of Engineers, submitting public notice regarding proposed project at Deer Creek Village in Sonoma County. (32)

From concerned citizen, submitting opposition to proposed tax on cigarettes to pay for litter clean-up. File No. 090724 (33)

From Fire Department, regarding the Fire Department's response to the Pacific Gas & Electric vault fire on June 5, 2009. (Reference No. 20090609-006) (34)

From State Fish and Game Commission, regarding proposed changes in regulations relating to the commercial herring fishery. (35)

From concerned citizen, submitting opposition to closing any fire stations in San Francisco. (36)

From concerned citizen, submitting opposition to any budget cuts in the Public Defender's Office. (37)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

JUL 25 2009

SAN FRANCISCO
PUBLIC LIBRARY

City Hall, Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 28, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty	Wednesday 1:30 PM
Budget and Finance Subcommittee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi	1st and 3rd Monday 11:00 AM
Rules Committee Supervisors Campos, Chu, Daly	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the June 30, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

1. 090698 **[Planning Fee Procedures and Adjustments]**
Mayor
Ordinance amending the San Francisco Planning Code by amending Article 3.5 to increase fees to recover costs for monitoring conditions of approval, code violation abatement, and the General Advertising Sign Program; establish a fee for Department facilitated pre-application meetings; modify refund procedures; modify the indigent fee waiver provision; clarify phased collections and payment deferment; establish a new processing fee for phased payments; and adopting Section 302 and environmental findings.

7/21/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Mirkarimi, Chu, Campos

2. 090757 **[Nineteenth Amendment to the Treasure Island Event Venues Master Lease]**
Resolution retroactively approving the Nineteenth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term to November 30, 2009.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

3. 090758 **[Twentieth Amendment to the Treasure Island Event Venues Master Lease]**
Resolution retroactively approving the Twentieth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to add the unimproved lot surrounding Building 449 to the Leased Premises.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

4. 090759 **[Thirtieth Amendment to the Treasure Island Land and Structures Master Lease]**
Resolution retroactively approving the Thirtieth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term to November 30, 2009.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

5. 090760 **[Thirty-First Amendment to the Treasure Island Land and Structures Master Lease]**
Resolution retroactively approving the Thirty-First Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to add Building 202 to the Leased Premises.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

6. 090761 **[Thirty-Second Amendment to the Treasure Island Land and Structures Master Lease]**
Resolution retroactively approving the Thirty-Second Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Redevelopment Authority and the U.S. Navy to add Buildings 29, 157, 215, 225, 261A, 264, 292, 401, and the lot surrounding Building 450 in the Leased Premises.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

7. 090762 **[Twelfth Amendment to the Treasure Island Marina Master Lease]**
Resolution retroactively approving the Twelfth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term to November 30, 2009.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

8. 090763 **[Twenty-Third Amendment to the Treasure Island South Waterfront Master Lease]**
Resolution retroactively approving the Twenty-Third Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term to November 30, 2009.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

9. 090764 **[Twenty-Fourth Amendment to the Treasure Island South Waterfront Master Lease]**
Resolution retroactively approving the Twenty-Fourth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to add Buildings 355, 385, 454, 501, and the portion of Avenue I between 3rd Street and California Avenue to the Leased Premises.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

10. 090785 **[Lease of Real Property at 649-651 Bryant Street]**
Resolution authorizing the lease of property, with a first right of refusal to purchase, comprising approximately 14,000 square feet of improvements upon a lot area of approximately 19,000 square feet, located at 649-651 Bryant Street (Assessor's Block No. 3777, Lot No. 050), San Francisco, for the San Francisco Public Utilities Commission.
(Real Estate Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

11. 090830 **[Airport Concession Lease]**
Resolution approving the Terminal 1 Boarding Area "C" Retail Lease between Hudson News Company and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

12. **090836** **[Lease of concession properties within the Japanese Tea Garden in Golden Gate Park]**
Supervisors Mirkarimi, Mar, Dufty
Resolution authorizing and approving the execution, delivery and performance of a Lease for the management and operation of the concessions associated with the Japanese Tea Garden in Golden Gate Park.

Question: Shall this Resolution be ADOPTED?

13. **090856** **[Approval of Amendment to the Owner Controlled Insurance Program for the Laguna Honda Hospital Replacement Program - $15,279,662]**
Supervisor Elsbernd
Resolution authorizing the Director of Public Works to execute an amendment to the Owner Controlled Insurance Program (OCIP) for the Laguna Honda Hospital Replacement Program from $9,915,928 to $15,279,662.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

14. **090862** **[Accept and Expend Federal Grant - Department of Public Works - $13,540,000]**
Mayor
Resolution authorizing the filing of an application for Federal American Recovery and Reinvestment Act of 2009 (ARRA) funding, stating the assurance to complete the project, and authorizing the Director of Public Works to accept and expend federal grant funds totaling $13,540,000.

Question: Shall this Resolution be ADOPTED?

15. **090884** **[Dissolution of San Francisco Airport Improvement Corporation]**
Resolution approving the dissolution of the San Francisco Airport Improvement Corporation, the appointment of directors, and related matters.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2009, nor later than August 1, 2009.)

16. 090778 **[Annual Salary Ordinance, FY 2009-2010]**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FY ending June 30, 2010, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

7/14/2009. CONTINUED ON FIRST READING. Continued to July 21, 2009.

7/21/2009. PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

17. 090779 **[Consolidated Budget and Annual Appropriation Ordinance, FY 2009-2010]**

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for FY ending June 30, 2010.

7/14/2009. CONTINUED ON FIRST READING. Continued to July 21, 2009.

7/21/2009. PASSED ON FIRST READING AS AMENDED. Supervisor Daly moved to divide the question relating to "Page 114, Department of Public Health, Line PHMCJC, Community Justice Center, in the amount of $396,717; and Page 129, Sheriff, Line PSSCPP, Community Justice Center, in the amount of $506,090."
The question relating to "Department of Public Health & Sheriff line items" was PASSED, as divided, by the following vote:
Ayes: 7 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd, Maxwell
Noes: 4 - Campos, Daly, Mar, Mirkarimi

Question: Shall this Ordinance be FINALLY PASSED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

(California Constitution Article XIIIC, Section 2(b) provides that a unanimous vote is required for adoption of this resolution today.)

18. 090184 **[Declaring an emergency under California Constitution Article XIIIC, Section 2(b) authorizing submission to voters of ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]**

Supervisors Chiu, Dufty, Mirkarimi, Campos

Resolution declaring an emergency under California Constitution Article XIIIC, Section 2(b) and authorizing submission of Ordinance that adopts and submits to the voters an ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that State law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if State law authorizes the City to impose it and directing its submission as a general tax measure for voter approval at the November 3, 2009, general municipal election.

7/21/2009, CONTINUED. Supervisor Campos requested to be added as a co-sponsor.

Continued to July 28, 2009.

Question: Shall this Resolution be ADOPTED?

19. 090136 **[Measure adopting and submitting to the voters an ordinance imposing a local assessment on all vehicles in San Francisco that are subject to Department of Motor Vehicle registration]**

Supervisors Chiu, Dufty, Mirkarimi, Campos

Ordinance adopting and submitting to the voters the ordinance amending the San Francisco Business and Tax Regulations Code to add Article 8 imposing a voter-approved local assessment on the privilege of a resident of the City and County to operate upon the public highways in the City and County a vehicle or trailer coach, the registrant of which is subject to tax under Part 5 (commencing with Section 10701) of the California Revenue and Taxation Code, at a rate not to exceed the difference between two percent of the market value of the vehicle or trailer coach and the rate imposed by the State of California pursuant to Section 10751 of the Revenue and Taxation Code, administered by the State Department of Motor Vehicles; acknowledging that state law has not yet been enacted authorizing the imposition of the assessment but approving imposition of such a charge at the specified rate when and if state law authorizes the City to impose it and directing submission of the measure for voter approval at the November 3, 2009 general municipal election.
(Economic Impact)

4/21/2009, SUBSTITUTED. Supervisor Chiu submitted a substitute ordinance bearing new title.

7/21/2009, PASSED ON FIRST READING. Supervisor Campos requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly

20. 090419 **[Increasing prize limit for charitable bingo games]**
Supervisors Dufty, Avalos, Campos, Elsbernd, Chu
Ordinance amending Section 3201 of the San Francisco Police Code to increase the maximum allowable prize for any charitable bingo game from $250 to $500, and to make nonsubstantive changes clarifying the applicability of requirements regarding the use of bingo proceeds.

7/21/2009, PASSED ON FIRST READING. Supervisor Chu requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

From the Board

21. 090585 **[Safe Streets and Road Repair General Obligation Bond Election - $368,000,000]**
Mayor, Supervisors Chiu, Dufty, Mar, Campos
Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3, 2009, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $368,000,000 to finance the resurfacing of roads, repair of sidewalks and street structures, and the redesign of streetscapes to include curb ramps and other pedestrian safety features and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act, ("CEQA"); finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 – 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.
(Fiscal Impact.)

7/14/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/14/2009, PASSED ON FIRST READING AS AMENDED.

7/21/2009, CONTINUED ON FINAL PASSAGE. The President inquired as to whether any member of the public wished to address the Board members on the amended portion of the ordinance relating to local hiring. Fatima Holmes; Male Speaker; Male Speaker; Terry Anders; Jesse Mason; Female Speaker; Josh Suarez; Richard McRee; spoke in support of the amendment. There were no other speakers.
The President declared the public comment closed on the amended portion of the ordinance relating to local hiring.

Continued to July 28, 2009.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

22. 090631 [Recreation and Park Department - Renaming Candlestick Park]
Supervisors Dufty, Elsbernd
Motion ordering submitted to the voters an ordinance amending San Francisco Administrative Code Section 4.245 to allow the Recreation and Park Department to enter into an agreement for the naming of City-owned sports stadium located at Candlestick Point, and to use fifty percent of the revenue from the agreement to fund recreation center directors at an election to be held on November 3, 2009.
(Fiscal Impact.)

6/2/2009, SUBSTITUTED. Supervisor Dufty submitted a substitute motion bearing new title.

Question: Shall this Motion be APPROVED?

23. 090637 [Professional services agreement to provide professional engineering services for SFPUC Calaveras Dam Project]
Supervisor Elsbernd
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by $9,689,663, for a total revised agreement amount of $24,000,000, and extend the agreement term by seven years for a total revised agreement term of thirteen years, pursuant to San Francisco Charter Section 9.118.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

24. 090820 [Public Employment and Accept-Expend Federal Grant - Amendment to the Annual Salary Ordinance, FY 2009-2010 - Human Services Agency - $26,505,777]
Mayor
Ordinance amending the FY 2009-2010 Annual Salary Ordinance (Companion File No. 090541) to reflect the addition of temporary and permanent salaries of $7,737,578 and authorizing the Human Services Agency to accept and expend a grant in the amount of $26,505,777 from the United States Department of Health and Human Services, TANF Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to sponsor the Mayor's Jobs NOW Program.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 090848 **[Emergency contract to repair the Fireboat at Pier 22 1/2]**
Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60, to repair the Fireboat at Pier 22 1/2.
(Public Works Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

26. 090886 **[Water Revenue Bond Issuance - $1,310,307,119]**
Supervisor Avalos
Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission to finance various projects under the Water System Improvement Program pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 090887 **[Water Revenue Bonds Issuance - not to exceed $1,120,185,000]**
Supervisor Avalos
Resolution approving the issuance of not to exceed $1,120,185,000 aggregate principal amount of San Francisco water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith, and related matters.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Mirkarimi, Chu, Campos

28. 090823 **[Authorization for continued membership in 18 County CalWIN Consortium]**
Resolution amending Resolution No. 1094-99 passed on December 6, 1999, to continue authority for the Department of Human Services to continue its membership in the 18 County CalWIN Consortium and authorizing the Director of the Human Services Agency to execute the necessary agreements for participation in the consortium's continued development, implementation, maintenance and operation of a computer system for the administration of public benefit programs in accordance with State requirements. This resolution will expand the expenditure authority from $29,419,538 for an additional amount of $13,110,600 from July 1, 2010, through July 31, 2013. The total project budget including this extension is $42,530,138. Please note: State and Federal reimbursement is at 92% of $42,530,138. County general fund portion is $3,402,241 from 1999 through 2013. The County general fund portion for the extension period is $1,048,848.
(Human Services Department)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

29. 090829 [Trinity Plaza Development Agreement Amendment; Property at 1167 Market Street, 670-693 Stevenson Street, and 1164 Mission Street]

Ordinance amending a development agreement between the City and County of San Francisco and 1169 Market Street, L.P., for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza, entered into on June 15, 2007, pursuant to Ordinance No. 92-07 adopted by the Board of Supervisors on April 17, 2007 (File No. 061217), to add 5 years to the term, to permit the construction of the entirety of a parking garage, to amend the definition of Existing Tenants, to identify the BMR Units for Building A, to modify the location and selection process for the Replacement Units, and to permit a Project-wide art component for the Project; and adopting environmental, General Plan and Planning Code Section 101.1(b) findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 090799 [UCSF Medical Center Mission Bay Helipad Project]

Supervisors Maxwell, Dufty

Resolution approving the proposed helipad at the UCSF Medical Center at Mission Bay under California Public Utilities Code Section 21661.5 and adopting environmental findings under the California Environmental Quality Act, including a mitigation monitoring and reporting program and a statement of overriding considerations.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the below matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described below, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

31. 090870 **[Hearing - Greater Union Square Business Improvement District]**

Hearing scheduled for July 28, 2009, at 3:00 p.m., to hear persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Greater Union Square Business Improvement District (BID)," by renewing and expanding the previously established Union Square BID; approving the amended management district plan and engineer's report and boundaries map; ordering the levy and collection of assessments against property located in the Greater Union Square BID for ten years, commencing with FY 2009-2010, subject to conditions as specified; and making environmental findings.
(Clerk of the Board)

Action:_____

32. 090935 **[Resolution to establish the Greater Union Square Business Improvement District]**
Supervisor Chiu

Resolution establishing a property-based business improvement district to be known as the "Greater Union Square Business Improvement District (BID)," by renewing and expanding the previously established Union Square BID; approving the amended management district plan and engineer's report and boundaries map; ordering the levy and collection of assessments against property located in the Greater Union Square BID for ten years, commencing with FY 2009-2010, subject to conditions as specified; and making environmental findings.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Thursday, July 23, 2009, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 28, 2009.

33. **090819** **[Management Agreement with Owners' Association for administration/management of San Francisco Tourism Improvement District]**

Supervisor Chiu

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the business-based business improvement district known as the "San Francisco Tourism Improvement District," pursuant to Section 36651 of the California Streets and Highways Code.

Question: Shall this Resolution be ADOPTED?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 36 through 44

36. 090950 **[Calling File Nos. 090868 and 090867 from Committee to the full Board of Supervisors, and calling for the Board to sit as a Committee of the Whole on August 4, 2009]**

Supervisor Chiu

Motion calling from the Land Use & Economic Development Committee, File Nos. 090868 [Bicycle Plan adoption and related General Plan amendments] and 090867 [Zoning - Planning code amendments in connection with the 2009 Bicycle Plan]; and calling for the Board to hear these items as the Committee of the Whole on August 4, 2009.

7/21/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

37. 090943 [Accept and Expend State Grant - Chief of Police - $25,000]

Supervisor Alioto-Pier

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $25,000 from the California Department of Fish and Game for the purchase of oil spill response equipment.

7/21/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 090944 [Renew Revolving Fund Agreement with State - $75,000]

Supervisor Avalos

Resolution authorizing the Office of the District Attorney of the City and County of San Francisco to renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving fund in the amount of $75,000 to be used to pay for verified funeral/burial expenses for eligible homicide victims and emergency relocation for victims of domestic violence and sexual assault for an additional two years from July 1, 2009, through June 30, 2011.

7/21/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 090945 [Accept and Expend State Grant - Office of the District Attorney up to $88,538]

Supervisor Avalos

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively contract for, accept and expend up to $88,538 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2009, through June 30, 2010.

7/21/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 090946 [Accept and Expend Grant - Department of Public Health - $22,566]

Supervisor Campos

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the World Health Organization in the amount of $22,566 to revise the document "Guide for HIV surveillance in low-level and concentrated epidemics;" for the period of June 15, 2009, through September 15, 2009.

7/21/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 090947 [Avoiding new foreign fossil fuel dependence in San Francisco's electricity supply]

Supervisor Daly

Resolution asking Pacific Gas & Electric Corporation to end partnership in the "Pacific Connnector" pipeline.

7/21/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 090948 **[Accept and Expend Regional Grant - Department of the Environment - $10,000]**
Supervisor Mar
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $10,000 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

7/21/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

43. 090949 **[Accept and Expend Regional Grant - Department of the Environment - $15,000]**
Supervisor Mar
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $15,000 from the San Francisco Foundation to implement the San Francisco Urban Gleaning Project.

7/21/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 090902 **[Final Map - 2242-2256 15th Street]**
Motion approving Final Map 4773, a merger and resubdivision, Parcel "B" being a 6 Unit residential condominium project, located at 2242–2256 15th Street being a subdivision of Lots 103 and 104 in Assessors Block No. 3540 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 178,244; District 8.)

7/16/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

45. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 14, 2009, to July 20, 2009, for reference by President to appropriate committee on July 28, 2009.

090878 **[Settlement of Lawsuits - John Tennison and Antoine Goff totaling $7,500,000]**
Ordinance authorizing settlement of the lawsuits filed by John Tennison and Antoine Goff against the City and County of San Francisco for the total amount of $7,500,000. The John Tennison lawsuit was filed on February 11, 2004, in the United States District Court for the Northern District of California, Case No. C04-0574 CW; entitled John Tennison, et al., v. City and County of San Francisco, et al. and will be settled by the payment of $4,600,000. The Antoine Goff lawsuit was filed on April 27, 2004, in the United States District Court for the Northern District of California, Case No. C04-1643 CW; entitled Antoine Goff, et al., v. City and County of San Francisco, et al. and will be settled by the payment of $2,900,000.
(City Attorney)

7/20/2009, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 14, 2009, to July 20, 2009, for reference by President to appropriate committee on July 28, 2009.

090916 **[Approving three fuel contracts estimated to exceed $10 million]**
Resolution approving the Agreement between the City and Western States Oil for gasoline and diesel fuel, which is estimated to exceed $10 million, pursuant to Charter Section 9.118(b).
(Office of Contract Administration)

7/17/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090917 **[Authorizing the Office of Contract Administration to enter into fuel-related cooperative purchasing agreements with other public entities and non-profits made up of public entities and charge an administrative fee for use of the City's fuel contract]**
Resolution authorizing the Director of the Office of Contract Administration (Purchaser) to enter into fuel-related cooperative purchasing agreements with other public entities and non-profits made up of public entities to maximize efficient buying and take advantage of bulk purchases and providing for an administrative fee to be charged to other public entities to cover the costs of the City program.
(Office of Contract Administration)

7/17/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090918 **[Grant and Cooperative Agreement with Metropolitan Transportation Commission]**

Resolution authorizing the San Francisco Municipal Transportation Agency to enter into a Grant and Cooperative Agreement with the Metropolitan Transportation Commission to procure, through existing TransLink® contracts, new SFMTA TransLink®-only fare collection equipment and related support services, for an amount not to exceed $29,150,000, to help complete the rollout of the regional TransLink® smartcard system.
(Municipal Transportation Agency)

7/20/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090951 **[Petitions and Communications]**

Petitions and Communications received from July 14, 2009, through July 20, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 28, 2009.

From Southeast Community Facilities Commission, submitting the "Annual Statement of Purpose and Annual Report for FY 2008-2009." (1)

From Budget and Finance Committee, submitting recommendations of the Budget and Finance Committee for amendment of budget items for FY 2009-2010. (2)

From Office of Citizen Complaints, submitting quarterly reports for the second quarter of 2009. Copy: Each Supervisor (3)

From Office of the Clerk of the Board, submitting list of sole source contracts received from various city departments entered into during FY 2008-09. (4)
Adult Probation
Asian Art Museum
Human Resources
Mayor's Office
Public Defender
Public Health

From Nancy Wuerfel, regarding alleged flaw in the Interim Consolidated Budget and Annual Appropriation Ordinance. (5)

From Office of the Mayor, submitting the reappointment of Kimberly Brandon as a member of the Port Commission, term ending on May 1, 2013. Copy: Rules Clerk (6)

From Office of the Mayor, submitting the reappointment of Larry Martin as a member of the Recreation and Parks Commission, term ending June 27, 2013. (7)

From Office of the Mayor, submitting the reappointment of David Lee as a member of the Recreation and Parks Commission, term ending June 27, 2013. (8)

From Office of the Mayor, submitting appointment of Amelia Yaros as a member of the Residential Rent Stabilization and Arbitration Board, term ending October 1, 2011. (9)

From Office of the Mayor, submitting the reappointment of Dennis Normandy as a member of the Civil Service Commission, term ending June 30, 2013. (10)

From Golden Gate Park Preservation Alliance, submitting opposition to proposed ordinance that would charge a fee for parking in Golden Gate Park. File No. 090716, Copy: Each Supervisor (11)

From Public Library-Finance Department, submitting report on gifts (up to $10,000) received by the Public Library during FY 2008-2009. (12)

From Sam Sirhed, submitting opposition to the formation of the "Greater Union Square Business Improvement District." File No. 090870, Copy: Each Supervisor (13)

From Office of the Controller, regarding proposed ordinance that allows the Recreation and Park Department to enter into a naming agreement for the City-owned sports stadium located at Candlestick Point. File No. 090631, Copy: Each Supervisor (14)

From the Department of Building Inspection, submitting copy of letter sent to constituent regarding the Department of Building Inspection's Dimensional Tolerance Policy. (15)

From Office of Clerk of the Board, submitting Form 700 Statement of Economic Interest for Michael Stover-Fiscal Officer-leaving. (16)

From Human Services Agency, submitting report on gifts (up to $10,000) received by the Human Services Agency during FY 2008-2009. (17)

From Office of the Treasure, submitting investment activity (for FY to date) of the portfolios under the Treasurer's management. (18)

From Dr. Ahimsa Sumchai, regarding Mission Bay Helicopter Operations. (19)

From Dr. Ahimsa Sumchai, regarding hearing on proposed helipad at UCSF Mission Bay. (20)

From Dr. Ahimsa Sumchai, regarding the Lennar Corporation and Candlestick Park. (21)

From Dr. Ahimsa Sumchai, submitting support for proposed rooftop helipad at UCSF Mission Campus. Copy: Each Supervisor (22)

From Sue Cauthen, submitting the Library Citizens Advisory Committee annual report. (23)

From Amanda Egron, concerning the takeover of Access TV by the group known as BAVC. (24)

From Department of Public Works, regarding the status of repairing potholes at Fillmore and Golden Gate Avenue. (Reference No. 20090714-005) (25)

From Port Commission, submitting the annual contracting activity report for the period of April 1, 2009,through June 30, 2009. (26)

From Bay-Delta Sport Fishing Enhancement Stamp Program, submitting request for proposed projects that would benefit sport fish populations, sport fishing opportunities and anglers within the geographic range of Golden Gate Bridge to the most downstream dam of the Sacramento and San Joaquin rivers and their tributaries. (27)

From concerned citizens, submitting support for the proposed traffic calming plan for Market Street. 2 letters (28)

From Ivan Pratt, regarding support for the Ryan White Program. (29)

From concerned citizens, submitting support for preserving the historic 18-hole Sharp Park Golf Course. 29 letters (30)

From concerned citizens, submitting support for restoring Sharp Park to a natural area. 8 letters (31)

From Emil Lawrence, regarding the non-stop cancellation of Municipal Transportation Agency commission meetings. Copy: Each Supervisor (32)

From Robert Edwards, regarding his current living conditions. (33)

From Vicki Leidner, submitting opposition to Senate Bill 792. (34)

From Francisco Da Costa, regarding "thousands of units being built in the middle of a toxic triangle" in San Francisco. (35)

From Francisco Da Costa, regarding the Air Quality Community Dialogue meetings. (36)

From Francisco Da Costa, regarding the City and County's proposed budget for FY 2009-2010. (37)

From Francisco Da Costa, requesting a hearing on the Ethics Commission and Mayor Gavin Newsom. (38)

From Francisco Da Costa, regarding Proposition G. (39)

From Joe Krivan, regarding alleged activities by the Police Department. (40)

From Andrea O'Leary, regarding the need for park rangers in all city parks. (41)

From Francis, requesting a bus shelter to be placed at Oakpark Drive and Clarendon Avenue. (42)

From Diane Palacio, submitting support for the renaming of Candlestick Park for the exclusive purpose of using the proceeds to fund director positions at City parks and playgrounds. File No. 090631, Copy: Budget & Finance Clerk (43)

From Elizabeth Riegle, submitting copy of letter sent to the Citation Review Center requesting the dismissal of a parking citation. (44)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice | Transmitted: July 24, 2009

A public hearing will be held on Tuesday, August 4, 2009 at 4:00 p.m., or as soon as possible after this time, at Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subject. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Comments may be mailed to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Documents relating to this matter are also available for inspection at the address above.

FILE NO. 090912

Appeal of Final Environmental Impact Report - San Francisco Bicycle Plan Project

Hearing of persons interested in or objecting to the Planning Commission's June 25, 2009, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0347E, through its Motion No. 17912, for the proposed update to the 2009 San Francisco Bicycle Transportation Plan, which includes minor, long-term, and near-term improvements for the bicycle route network, and amendments to the General Plan and Planning Code to reflect said Bicycle Plan.

Angela Calvillo, Clerk of the Board

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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BOARD of SUPERVISORS

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NOTICE OF MATTER CALLED OUT OF COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

Matter: 2009 San Francisco Bicycle Transportation Plan & Planning Code Amendments

Location: City Hall, Legislative Chamber, Second Floor

Hearing Date: August 4, 2009

NOTICE IS HEREBY GIVEN that pursuant to Rule 5.32 the following matter has been called out of the Land Use & Economic Development Committee by Supervisor Chiu at the Board Meeting of July 28, 2009:

File No. 090867 Ordinance amending the San Francisco Planning Code by amending Sections 155, 155.1, 155.4, and 155.5 in connection with the 2009 Bicycle Plan; and making various findings, including environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

File No. 090868 Ordinance adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan; adopting environmental findings and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; and authorizing official acts in connection thereto.

The public will have an opportunity to speak during the public comment period of the Board's agenda.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Angela Calvillo, Clerk of the Board

POSTED: July 24, 2009

PUBLISHED: July 26, 2009

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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City Hall, Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, August 4, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 11:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the July 7, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 3

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu, Campos, Dufty

1. 090820 **[Public Employment and Accept-Expend Federal Grant - Amendment to the Annual Salary Ordinance, FY 2009-2010 - Human Services Agency - $26,505,777]**

Mayor

Ordinance amending the FY 2009-2010 Annual Salary Ordinance (Companion File No. 090778) to reflect the addition of temporary and permanent salaries of $7,737,578 and authorizing the Human Services Agency to accept and expend a grant in the amount of $26,505,777 from the United States Department of Health and Human Services, TANF Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to sponsor the Mayor's Jobs NOW Program. (Fiscal Impact.)

7/28/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 090886 [Water Revenue Bond Issuance - $1,310,307,119]

Supervisor Avalos

Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission to finance various projects under the Water System Improvement Program pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith. (Fiscal Impact.)

7/28/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

3. 090829 [Trinity Plaza Development Agreement Amendment; Property at 1167 Market Street, 670-693 Stevenson Street, and 1164 Mission Street]

Ordinance amending a development agreement between the City and County of San Francisco and 1169 Market Street, L.P., for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza, entered into on June 15, 2007, pursuant to Ordinance No. 92-07 adopted by the Board of Supervisors on April 17, 2007 (File No. 061217), to add 5 years to the term, to permit the construction of the entirety of a parking garage, to amend the definition of Existing Tenants, to identify the BMR Units for Building A, to modify the location and selection process for the Replacement Units, and to permit a Project-wide art component for the Project; and adopting environmental, General Plan and Planning Code Section 101.1(b) findings.

(Planning Department)

7/28/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Maxwell

4. 090740 **[Resolution urging Attorney General Jerry Brown to reject evidence gained through the use of torture]**

Supervisors Mar, Maxwell, Mirkarimi, Daly

Resolution urging Attorney General Jerry Brown to reject evidence gained through the use of torture and to drop the charges against the "San Francisco 8" defendants.

6/16/2009, CONTINUED. Continued to July 7, 2009.

7/7/2009, TABLED. Motion to Table failed.

7/7/2009, CONTINUED. Continued to August 4, 2009.

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

5. 090555 **[Amendments to the Police Code by adding Section 1.1 designating Clipper Cove as a Special Use Area]**

Supervisor Daly

Ordinance amending the San Francisco Police Code by adding Section 1.1 designating Clipper Cove as a Special Use Area, making it a misdemeanor to moor or anchor a vessel in Clipper Cove without a valid permit issued by the Treasure Island Development Authority ("TIDA"), or its designee, and allowing TIDA to remove and store vessels moored in violation of this Ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

6. 090772 **[Public Hearing - Appeal of Final Environmental Impact Report for 2901 California Street/1831-1835 Broderick Street-Drew School Addition]**
Hearing of persons interested in or objecting to the Planning Commission's May 14, 2009, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0128E, through its Motion No. 17879, for a proposed Drew School Addition project located at 2901 California Street/1831-1835 Broderick Street, Assessor's Block No. 1029, Lots 003 and 095. (Appellant: Stephen M. Williams on behalf of the Pacific Heights Residents Association and the Western Addition Neighborhood Association)
(Filed 6/3/09; Companion Measure to 090773, 090774, 090775; District 2.)

6/30/2009, CONTINUED. Continued to August 4, 2009
Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

7. 090773 **[Affirming the certification of the 2901 California Street/1831-1835 Broderick Street (Drew School Addition) FEIR]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 2901 California Street/1831-1835 Broderick Street-Drew School Addition Project.

6/30/2009, CONTINUED. Continued to August 4, 2009

Question: Shall this Motion be APPROVED?

8. 090774 **[Reversing the certification of 2901 California Street.1831-1835 Broderick Street (Drew School Addition) FEIR]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for 2901 California Street/1831-1835 Broderick Street-Drew School Addition Project.

6/30/2009, CONTINUED. Continued to August 4, 2009

Question: Shall this Motion be APPROVED?

9. 090775 **[Preparation of findings to reverse certification of 2901 California Street/1831-1835 Broderick Street (Drew School Addition) FEIR]**
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 2901 California Street/1831-1835 Broderick Street-Drew School Addition FEIR.

6/30/2009, CONTINUED. Continued to August 4, 2009

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

10. 090812 **[Public Hearing - Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17880 dated May 14, 2009, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2007.0128CV), under Planning Code Sections 209.3, 303, and 317 to allow an existing private secondary school (the Drew School), to expand its facility and enrollment cap, and to demolish an existing 3-unit building within an RM-1 (Residential, Mixed, Low Density) District and a 40-X Height and Bulk District, on property located at 2901 California Street/1831-1835 Broderick Street, Lot Nos. 003 and 095 in Assessor's Block 1029. (Appellant: Stephen M. Williams on behalf of the Pacific Heights Residents Association and the Western Addition Neighborhood Association)

(Filed 6/15/09; Companion measure to Files 090813, 090814, 090815; District 2.)

7/14/2009, CONTINUED. Continued to August 4, 2009.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

11. 090813 **[Approving Planning Commission decision related to Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]**

Motion approving decision of the Planning Commission by its Motion No. 17880, approving Conditional Use Application 2007.0128CV on property located at 2901 California Street/1831-1835 Broderick Street – Drew School Addition Project, and adopting findings pursuant to Planning Code Section 101.1.

(Clerk of the Board)

7/14/2009, CONTINUED. Continued to August 4, 2009.

Question: Shall this Motion be APPROVED?

12. 090814 **[Disapproving Planning Commission decision related to Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]**

Motion disapproving decision of the Planning Commission by its Motion No. 17880, approving Conditional Use Application 2007.0128CV on property located at 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project.

(Clerk of the Board)

7/14/2009, CONTINUED. Continued to August 4, 2009.

Question: Shall this Motion be APPROVED?

13. 090815 **[Preparation of findings related to the Conditional Use Appeal for 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2007.0128CV on property located at 2901 California Street/1831-1835 Broderick Street - Drew School Addition Project, for action by the Board at its next meeting.
(Clerk of the Board)

7/14/2009, CONTINUED. Continued to August 4, 2009.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

14. 090871 **[Public Hearing - Appeal of Mitigated Negative Declaration - 1960-1998 Market Street]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion 17865, adopted April 16, 2009, affirming the decision of the Planning Department to issue a Mitigated Negative Declaration (Planning Case No. 2006.1431E) for the proposed development at 1960-1998 Market Street. The proposed project would demolish a service station and develop a mixed use building with up to 115 residential units over ground-floor commercial space and a partially subterranean garage with 69 parking spaces, located in the Market & Octavia Plan area, Assessors Block 0872, Lots 005-007. (Appellant: Tanya Gulesserian on behalf of the San Francisco Building and Construction Trades Council)
(Filed July 6, 2009; Companion Meaussre to 090872, 090873, 090874; District 5.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

15. 090872 **[Affirming adoption of the mitigated negative declaration for 1960-1998 Market Street]**
Motion affirming Planning Commission adoption of the final mitigated negative declaration for 1960-1998 Market Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

16. 090873 **[Reversing adoption of the mitigated negative declaration for 1960-1998 Market Street]**
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 1960-1998 Market Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

17. 090874 **[Preparation of findings to reverse adoption of the mitigated negative declaration for 1960-1998 Market Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 1960-1998 Market Street.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

18. 090912 **[Public Hearing - Appeal of Final Environmental Impact Report - San Francisco Bicycle Transportation Plan]**
Hearing of persons interested in or objecting to the Planning Commission's June 25, 2009, certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0347E, through its Motion No. 17912, for the proposed update to the 2009 San Francisco Bicycle Transportation Plan, which includes minor, long-term, and near-term improvements for the bicycle route network, and amendments to the General Plan and Planning Code to reflect said Bicycle Plan. (Appellants: Catherine Liddell, representing South Beach-Rincon-Mission Bay-Neighborhood Association and Mary Miles representing Coalition for Adequate Review.)
(Filed 07/15/09; Companion measure to Files 090913, 090914, 090915.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

19. 090913 **[Affirming certification of the Bicycle Plan Project FEIR]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 2009 San Francisco Bicycle Plan Project.

Question: Shall this Motion be APPROVED?

20. 090914 **[Reversing certification of the Bicycle Plan Project FEIR]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 2009 San Francisco Bicycle Plan Project.

Question: Shall this Motion be APPROVED?

21. 090915 **[Preparation of findings to reverse certification of the Bicycle Plan Project FEIR]**
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 2009 Bicycle Plan Project FEIR.

Question: Shall this Motion be APPROVED?

Board of Supervisors Sitting as a Committee of the Whole

Called from the Land Use and Economic Development Committee

22. **090867** **[Zoning - Planning Code amendments in connection with the 2009 Bicycle Plan]**
Ordinance amending the San Francisco Planning Code by amending Sections 155, 155.1, 155.4, and 155.5 in connection with the 2009 Bicycle Plan; and making various findings, including environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. **090868** **[Bicycle Plan adoption and related General Plan amendments]**
Ordinance adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan; adopting environmental findings and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; and authorizing official acts in connection thereto.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

25. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 26 through 29

26. 090966 **[Opposing BART surcharge]**
Supervisors Chiu, Dufty, Campos, Mirkarimi, Maxwell
Resolution opposing BART surcharge on SFO employees.

7/28/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. 090967 **[Approving the plan to allow a gated $10 admission charge to the Lovevolution Festival in Civic Center Plaza, pending the approval of the Interdepartmental Staff Committee on Traffic and Transportation]**
Supervisor Mirkarimi
Resolution approving the plan to allow a gated $10 admission charge to the Lovevolution Festival in Civic Center Plaza, which is scheduled to take place on Saturday, October 3, 2009, pending the approval of the Interdepartmental Staff Committee on Traffic and Transportation.

7/28/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 090968 **[Supporting President Obama's principles for national health care reform]**
Mayor, Supervisors Chiu, Mar, Maxwell, Dufty, Mirkarimi, Alioto-Pier
Resolution supporting President Obama's principles for national health care reform.

7/28/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 090941 **[Final Map - 2011 Bayshore Boulevard]**
Motion approving Final Map 4976, a 64 Residential Unit Condominium Project, located at 2011 Bayshore Boulevard being a subdivision of Lot 093 in Assessors Block No. 5054A and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 178,139; District 10.)

7/27/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

30. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

31. 090982 [Petitions and Communications]

Petitions and Communications received from July 21, 2009, through July 27, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 4, 2009.

From Erin Higbee, submitting the draft EIR for Harding Park Recycled Water Project. (1)

From Office of the Controller, submitting the Annual Salary Ordinance for FY 2009-2010. (2)

From Office of the Clerk of the Board, submitting list of sole source contracts received from various city departments entered into during FY 2008-2009. (3)
Office of the City Attorney
Office of the Controller
Department of Elections
Department of Emergency Management
Fire Department
Mayor
Municipal Transportation Agency
Planning Department
Public Library
Office of the Sheriff
War Memorial and Performing Arts Center

From SF Environment, regarding the Commuter Benefits Ordinance. (4)

From Adult Probation Department, submitting Annual Report for FY 2007-2008. (5)

From concerned citizens, submitting support for preserving the Historic 18-hole Sharp Park Golf Course. 31 letters (6)

From concerned citizens, submitting support for restoring Sharp Park to a natural area. 3 letters (7)

From Office of the Mayor, submitting letter to notify the Budget and Finance Committee of a technical adjustment to the Mayor's June FY 2009-2010 Proposed Budget allowable under Charter Section 9.101. Copy: Budget and Finance Committee (8)

From Department on the Status of Women, submitting the "First Comprehensive Report on Family Violence in San Francisco" dated June 2009. (9)

From Airport, submitting annual report on project expenditures using funds approved from the Supplemental appropriation. Copy: Each Supervisor (10)

From Human Services Agency, submitting the Human Services Card Fund quarterly report. Copy: Budget and Finance Committee (11)

From Professional and Technical Engineers, Local 21, requesting the $2 million slated for the Budget Analyst office put on reserve pending an outstanding request regarding the resources needed for this work. (12)

From concerned citizens, submitting support for proposed resolution that establishes the Greater Union Square Business Improvement District. File No.090935, Copy: Each Supervisor, 2 letters (13)

From Department of Human Resources, responding to inquiry regarding list of City and County employees by gender, age, race and ethnicity, classification, title and department that have been laid off or have received a layoff notice, transferred to a new department, and released before completing their 90 day probationary period within FY 2008-2009. (14)

From Department of Public Works, regarding status of removing police barricades left from the 2009 Bay to Breakers race at the corner of Hayes and Pierce. (Reference No. 20090714-001) (15)

From Office of Clerk of the Board, submitting Form 700 Statement of Economic Interest for Tanene Allison, member, Sunshine Ordinance Task Force-leaving. (16)

From Ivan Pratt, regarding the Tenderloin Master Gardeners Program. (17)

From Department of Public Health, submitting the quarterly report for AIDS cases reported through June 2009. (18)

From Michael Lyon, regarding the progressive deterioration of the Health Department as the effects of budget cuts continue to mount. Copy: Each Supervisor (19)

From Elizabeth Riegle, requesting the dismissal of her parking citation. (20)

From Signa Houghteling, thanking the Board for recognizing Joseph Houghtelings'many years of public service. (21)

From Daniel Baker, submitting notice of application filed with the California Public Utilities Commission, seeking to extend its passenger stage corporation certificate to perform an on-call door-to-door service 24/7. (22)

From Antonio, submitting letter entitled "high paid MUNI managers put public safety under the bus" dated July 21, 2009. (23)

From Clerk of the Board, submitting list of all sole source contracts entered into during FY 2008-2009. (24)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

City Hall, Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, August 11, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 11:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

GOVERNMENT DOCUMENTS DEPT
AUG - 7 2009
SAN FRANCISCO PUBLIC LIBRARY

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Approval of the July 14, 2009, Board Meeting Minutes.

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

1. 090883 **[Airport Concession Lease]**
Resolution approving Amendment No. 3 to the Boarding Areas "B" and "C" Principal Retail Concession Lease No. 98-0228 between Pacific Gateway Concessions, LLC, and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

2. 090930 **[Renew Joint Powers Agreement with State and Accept and Expend up to $2,249,136]**
Supervisor Avalos
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively contract for, accept and expend up to $2,249,136 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Joint Powers Agreement for the period of July 1, 2009, through June 30, 2012.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

3. 090555 **[Amendments to the Police Code by adding Section 1.1 designating Clipper Cove as a Special Use Area]**
Supervisor Daly
Ordinance amending the San Francisco Police Code by adding Section 1.1 designating Clipper Cove as a Special Use Area, making it a misdemeanor to moor or anchor a vessel in Clipper Cove without a valid permit issued by the Treasure Island Development Authority ("TIDA"), or its designee, and allowing TIDA to remove and store vessels moored in violation of this Ordinance.

8/4/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Ptresent: Supervisors Campos, Daly

4. 090878 **[Settlement of Lawsuits - John Tennison and Antoine Goff totaling $7,500,000]**
Ordinance authorizing settlement of the lawsuits filed by John Tennison and Antoine Goff against the City and County of San Francisco for the total amount of $7,500,000. The John Tennison lawsuit was filed on February 11, 2004, in the United States District Court for the Northern District of California, Case No. C04-0574 CW; entitled John Tennison, et al., v. City and County of San Francisco, et al. and will be settled by the payment of $4,600,000. The Antoine Goff lawsuit was filed on April 27, 2004, in the United States District Court for the Northern District of California, Case No. C04-1643 CW; entitled Antoine Goff, et al., v. City and County of San Francisco, et al. and will be settled by the payment of $2,900,000.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 090896 **[Settlement of Lawsuit - John Williams - $27,000]**
Ordinance authorizing settlement of the lawsuit filed by John Williams against the City and County of San Francisco for $27,000; the lawsuit was filed on September 5, 2008, in San Francisco Superior Court, Case No. 479-512; entitled John Williams v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 090897 **[Settlement of Lawsuit - Benson Chen - $75,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Benson Chen against the City and County of San Francisco for $75,000; the lawsuit was filed on November 2, 2007, in San Francisco Superior Court, Case No. 468791; entitled Benson Chen v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 090898 **[Settlement of Lawsuit - Yue Kong Kam - $102,327.06]**
Ordinance authorizing settlement of the lawsuit filed by Yue Kong Kam against the City and County of San Francisco for $102,327.06; the lawsuit was filed on June 19, 2008, in San Francisco Superior Court, Case No. 476-544; entitled Yue Kong Kam, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 090899 **[Settlement of Lawsuits - United States of America - $7,000,000]**
Ordinance authorizing settlement of the two lawsuits filed by the United States of America against the City and County of San Francisco for $7,000,000; the two lawsuits were filed on August 22, 2005, and September 6, 2007, in the United States District Court for the Eastern District of California, Case No. 2:05 CV 01693 entitled United States of America v. City and County of San Francisco, et al. and Case No. 1:07 CV 01300 entitled United States of America v. City and County of San Francisco, et al. and appropriating $7,000,000 of fund balance from the Hetch Hetchy Fund for this purpose.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

9. 090868 **[Bicycle Plan adoption and related General Plan amendments]**
Ordinance adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan; adopting environmental findings and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; and authorizing official acts in connection thereto.
(Planning Department)

8/4/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
8/4/2009, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

10. 090867 **[Zoning - Planning Code amendments in connection with the 2009 Bicycle Plan]**
Ordinance amending the San Francisco Planning Code by amending Sections 155, 155.1, 155.4, and 155.5 in connection with the 2009 Bicycle Plan; and making various findings, including environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Planning Department)

8/4/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
8/4/2009, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

11. 090546 **[Appropriating $119,800,000 of proceeds from debt for wastewater system improvements at the Public Utilities Commission for FY 2009-2010 and 2010-2011]**
Mayor
Ordinance appropriating $119,800,000 of proceeds from debt revenue for the Wastewater Enterprises' Interim Capital Improvement Program and the Sewer System Master Plan Biosolids/Digester and Channel Tunnel Projects at the San Francisco Public Utilities Commission for FY 2009-2010 and 2010-2011 and placing $78,800,000 on Controller's reserve pending the sale of bonds.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 090869 **[Approval of SFPUC New Irvington Tunnel Construction Management Contract not to exceed $15 million]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-918, New Irvington Tunnel Construction Management Services, with Hatch Mott MacDonald, for an amount not to exceed $15,000,000 with a term of up to five (5) years, pursuant to San Francisco Charter Section 9.118.
(Public Utilities Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

13. 090916 **[Approving one fuel contract estimated to exceed $10 million]**
Resolution approving the Agreement between the City and Western States Oil for gasoline and diesel fuel, which is estimated to exceed $10 million, pursuant to Charter Section 9.118(b).
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisos Campos, Daly, Chu

14. 090461 **[Providing members of the public with access to language services]**
Supervisors Chiu, Daly, Chu
Ordinance amending the San Francisco Administrative Code by adding new Sections 91.1, 91.8, 91.11, 91.14, 91.18; amending Sections 91.2, 91.3, 91.4, 91.6; amending Section 91.8 and renumbering Section 91.8 as 91.9; amending Section 91.9 and renumbering Section 91.9 as 91.10; amending Section 91.11 and renumbering Section 91.11 as 91.13; amending Section 91.12 and renumbering Section 91.12 as 91.15; amending Section 91.14 and renumbering Section 91.14 as 91.17; renumbering Sections 91.10 as 91.12 and 91.13 as 91.16 to rename the Equal Access Ordinance to Language Access Ordinance and add findings; to develop language services protocols in crisis situations, to amend the contents required in departmental Annual Compliance Plans; to create reporting requirements, to create and outline the Office of Civic Engagement and Immigrant Affairs' responsibilities; to clarify the Ordinance intent to promote the general welfare of the public; to require all City departments to comply with the minimal requirements set forth in this Ordinance; to expand the number of City departments that must comply with the Ordinance in its entirety; to require all City departments to inform Limited English Speaking Persons of their rights under the Ordinance; to require all City Boards, City Commissions, and City Departments to translate meeting minutes; and to amend the compliant procedures.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the below matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described below, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

15. 090576 **[Hearing - Hunters View - Street Vacation Order]**

Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of portions of Fairfax Avenue and West Point Road and various public service easements; making environmental findings and findings of consistency with the City's General Plan and the priority policies of Planning Code Section 101.1; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including AT&T, Pacific Gas and Electric Company, and the City; reserving temporary private access easement to adjacent owner; accepting Department of Public Works Order No. 178,144;and authorizing official acts in connection with this Ordinance.

Action:_____

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Mar, Chiu

16. 090575 **[Hunters View - Street Vacation Order]**

Ordinance ordering the vacation of portions of Fairfax Avenue and West Point Road and various public service easements; making environmental findings and findings of consistency with the City's General Plan and the priority policies of Planning Code Section 101.1; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including AT&T, Pacific Gas and Electric Company, and the City; reserving temporary private access easement to adjacent owner; accepting Department of Public Works Order No. 178,144; and authorizing official acts in connection with this Ordinance.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the below matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described below, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

17. 090956 **[Public Hearing - Department of Public Health Delinquent Refuse Service Payment Liens (Garbage Liens)]**

Hearing of persons interested in or objecting to the report of delinquent charges for refuse collection service and removal costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating special assessments and liens based thereon.

Action:_____

18. 090957 **[Unpaid Department of Public Health Delinquent Refuse Service Payments to become Special Assessments and liens billed with property taxes]**

Resolution confirming report of delinquent charges for refuse collection service and removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the below matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described below, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

19. 090958 **[Public Hearing - Department of Building Inspection Special Assessment of Liens for Assessment of Cost]**

Hearing of persons interested in or objecting to the report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3 Section 108A, Section 110A – Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.

Action:_____

20. 090959 **[Special Assessment of Liens for Assessment of Cost]**

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent assessment of costs, and fees pursuant to the provisions of Section 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3 Section 108A, Section 110A – Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

21. **090109** **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 717 Battery Street/350 Pacific Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated December 19, 2008, that a project at 717 Battery Street/350 Pacific Avenue (Case No. 2007.1460E) (Building Permit Application Nos. 2003.02.12.7271; 2005.04.21.0598 (UMB retrofit); and 2005.0321.8084 (two-story vertical addition) is exempt from environmental review under Categorical Exemption, Class 32 [State CEQA Guidelines, Section 15332]. The proposal would add to and rehabilitate the Musto Building, to expand the existing office use and provide ground-floor commercial and restaurant space. The project site (Assessor's Block 0165, Lot 022) is within a C-2 (Community Business) Use District, and in a 65-A Height and Bulk District, and in a Special Use District-the Washington-Broadway Special Use District No. 2. (Appellant: Susan Brandt-Hawley on behalf of San Francisco Preservation Action.)

(Filed January 30, 2009; Companion to Files 090110, 090111, 090112; District 3.)

3/3/2009, CONTINUED. Continued to April 7, 2009.
4/7/2009, CONTINUED. Continued to May 12, 2009.
5/12/2009, CONTINUED. Continued to July 7, 2009.
7/7/2009, CONTINUED. Continued to August 11, 2009.
Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

22. 090110 **[Affirming the Categorical Exemption issued for the 717 Battery Street/350 Pacific Avenue project]**
Motion affirming the determination by the Planning Department that the 717 Battery Street/350 Pacific Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

3/3/2009, CONTINUED. Continued to April 7, 2009.
4/7/2009, CONTINUED. Continued to May 12, 2009.
5/12/2009, CONTINUED. Continued to July 7, 2009.
7/7/2009, CONTINUED. Continued to August 11, 2009.
Question: Shall this Motion be APPROVED?

23. 090111 **[Disapproving the Categorical Exemption issued for the 717 Battery Street/350 Pacific Avenue project]**
Motion disapproving the determination by the Planning Department that the 717 Battery Street/350 Pacific Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

3/3/2009, CONTINUED. Continued to April 7, 2009.
4/7/2009, CONTINUED. Continued to May 12, 2009.
5/12/2009, CONTINUED. Continued to July 7, 2009.
7/7/2009, CONTINUED. Continued to August 11, 2009.
Question: Shall this Motion be APPROVED?

24. 090112 **[Preparation of findings related to the 717 Battery Street/350 Pacific Avenue project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 717 Battery Street/350 Pacific Avenue is exempt from environmental review under the California Environmental Quality Act.

3/3/2009, CONTINUED. Continued to April 7, 2009.
4/7/2009, CONTINUED. Continued to May 12, 2009.
5/12/2009, CONTINUED. Continued to July 7, 2009.
7/7/2009, CONTINUED. Continued to August 11, 2009.
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, August 6, 2009, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 11, 2009.

25. 090895 **[Settlement of Lawsuit - Linda Caratti - $80,000]**
Ordinance authorizing settlement of the lawsuit filed by Linda Caratti against the City and County of San Francisco for $80,000; the lawsuit was filed on August 28, 2008, in San Francisco Superior Court, Case No. 479214; entitled Linda Caratti, v. City and County of San Francisco, et al.; other material terms of said settlement are that the City and San Francisco Zoological Society agree to a mutual release of claims for indemnification.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

(Only one of the following two motions should be approved.)

26. 090970 **[Reappointment, Recreation and Parks Commission - Larry Martin]**
Motion approving the Mayor's reappointment of Larry Martin to the Recreation and Parks Commission for the term ending June 27, 2013.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date -- July 13, 2009.)

Question: Shall this Motion be APPROVED?

27. 090971 **[Reappointment, Recreation and Parks Commission - Larry Martin]**
Motion rejecting the Mayor's reappointment of Larry Martin to the Recreation and Parks Commission for the term ending June 27, 2013.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date -- July 13, 2009.)

Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be approved.)

28. 090972 **[Reappointment, Recreation and Parks Commission - David Lee]**
Motion approving the Mayor's reappointment of David Lee to the Recreation and Parks Commission for the term ending June 27, 2013.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date – July 13, 2009.)

Question: Shall this Motion be APPROVED?

29. 090973 **[Reappointment, Recreation and Parks Commission - David Lee]**
Motion rejecting the Mayor's reappointment of David Lee to the Recreation and Parks Commission for the term ending June 27, 2013.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date – July 13, 2009.)

Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be approved.)

30. 090974 **[Appointment, Residential Rent Stabilization and Arbitration Board - Amelia D. Yaros]**
Motion approving the Mayor's appointment of Amelia D. Yaros to the Residential Rent Stabilization and Arbitration Board for the term ending October 1, 2011.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – July 13, 2009.)

Question: Shall this Motion be APPROVED?

31. 090975 **[Appointment, Residential Rent Stabilization and Arbitration Board - Amelia D. Yaros]**
Motion rejecting the Mayor's appointment of Amelia D. Yaros to the Residential Rent Stabilization and Arbitration Board for the term ending October 1, 2011.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – July 13, 2009.)

Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be approved.)

32. 090976 **[Reappointment, Civil Service Commission - Dennis Normandy]**

Motion approving the Mayor's reappointment of Dennis Normandy to the Civil Service Commission for the term ending June 30, 2013.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date – July 13, 2009.)

Question: Shall this Motion be APPROVED?

33. 090977 **[Reappointment, Civil Service Commission - Dennis Normandy]**

Motion rejecting the Mayor's reappointment of Dennis Normandy to the Civil Service Commission for the term ending June 30, 2013.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date – July 13, 2009.)

Question: Shall this Motion be APPROVED?

The following items will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, August 10, 2009, at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 11, 2009.

34. 090554 **[Building Code - Registration of Vacant/Abandoned Buildings; Maintenance and Security Requirements; Annual Fee and Penalties for Violation]**

Supervisors Chiu, Dufty

Ordinance amending the San Francisco Building Code by adding Section 103A.4 to require the owner of a vacant or abandoned building to register the building with the Department of Building Inspection, require the owner to maintain the grounds and the exterior and interior of the building secured and in good condition, and provide that a property in violation of the requirements is a public nuisance; and by amending Section 110, Table 1A-J to establish an annual registration fee; adopting environmental and other findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 090889 **[Regulations for Mortgage Modification Consultants]**
Supervisors Campos, Maxwell, Mirkarimi, Dufty, Chiu, Chu
Ordinance amending the San Francisco Police Code by adding Article 27 to regulate mortgage modification consultants by: (1) requiring a written contract describing mortgage modification services to be provided prior to initiation of services; (2) requiring that any contract entered into for these services provide notice that the contract may be cancelled within fourteen calendar days and that services may be obtained free of charge from nonprofit sources; (3) prohibiting collection of fees until the consultant has obtained a written loan modification offer for the homeowner; and (4) providing for enforcement by criminal penalties and a private cause of action for homeowners, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 090966 **[Opposing BART surcharge]**
Supervisors Chiu, Dufty, Campos, Mirkarimi, Maxwell, Avalos
Resolution opposing BART surcharge on SFO employees.

8/4/2009, REFERRED to Land Use and Economic Development Committee. Supervisor Avalos requested to be added as a co-sponsor.

Question: Shall this Resolution be ADOPTED?

37. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

38. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 39 through 42

39. 090995 **[Urging the Federal Communications Commission to conduct a comprehensive investigation on hate speech in the media and to update the 1993 report on the Role of Telecommunications in Hate Crimes]**

Supervisors Campos, Avalos, Chiu, Dufty, Daly, Mar, Mirkarimi, Maxwell

Resolution urging the Federal Communications Commission to conduct a comprehensive investigation on hate speech in the media, allowing public participation via public hearings, and to update the 1993 report on the Role of Telecommunications in Hate Crimes, including public participation via public hearings.

8/4/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 090996 **[Recognizing and honoring Tim Reagan's contribution to social justice and workers' rights]**

Supervisor Daly

Resolution acknowledging Tim Reagan's contributions to the struggle for social justice and workers' rights for more than two decades.

8/4/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 090997 **[Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 3, 2009, Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 3, 2009, Election.
(Clerk of the Board)

8/4/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

42. 090395 **[Final Map - 1355 Pacific Avenue]**

Motion approving Final Map 5525, a 23 unit residential condominium project, located at 1355 Pacific Avenue being a subdivision of Lot 031 in Assessors Block No. 0184 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 178,260; District 3.)

7/31/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda:

43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 28, 2009, to August 3, 2009, for reference by President to appropriate committee on August 11, 2009.

090791 **[Changing the official sidewalk width - 20th, Minnesota, and Indiana Streets]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1584 to change the official sidewalk width on the north side of 20th Street between Minnesota and Indiana Streets, southwest corner of 20th and Minnesota Streets, and southeast corner of 20th and Indiana Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

7/31/2009, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

090780 **[Revisions to Division I of the San Francisco Transportation Code]**
Ordinance amending San Francisco Transportation Code, Division I, by amending Sections 3.4, 6.7, 7.2.12, 7.2.26, 7.2.27, 7.2.28, 7.2.29, 7.2.71, 7.2.80, 7.2.101, 7.3.3 and 8.1 to change existing posting requirements for temporary parking restriction signs; amend the requirements for street barricades for street fairs; provide that yellow or white zones may be indicated by either yellow or white paint on the curb or signage; provide a three minute time limit for noncommercial vehicles parked in yellow zones; provide a three consecutive day on-street parking restriction instead of seven consecutive days; provide that any violation of Division II, Section 903 is a violation of Section 7.2.71; prohibit taxicab operators from leaving a vehicle unattended in certain use districts; provide that persons are prohibited from boarding a Municipal Railway vehicle in revenue service through the rear exit while the vehicle is operating on a transit line unless on a line, route or location designated by the SFMTA; provide that four or more violations of Section 7.2.71 within one year constitute a misdemeanor; repeal noticing requirements for towing vehicles on public streets; and clarify applicable restrictions and references to Division II; and repealing Section 7.2.44 prohibiting parking on designated streets near Candlestick Park.
(Municipal Transportation Agency)

6/8/2009, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

8/3/2009, SUBSTITUTED.

8/3/2009, ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 28, 2009, to August 3, 2009, for reference by President to appropriate committee on August 11, 2009.

090879 **[Approving amendment to engineering services agreement for SFPUC New Irvington Tunnel Project]**
Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by $3,900,000, for a total revised agreement amount of $13,898,561, and extend the agreement term by one year for a total revised agreement term of eight years, pursuant to San Francisco Charter Section 9.118.
(Public Utilities Commission)

8/3/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090979 **[CEQA findings for San Francisco Public Utilities Commission Water System Improvement Program Bay Division Pipeline Reliability Upgrade Project in Alameda and San Mateo Counties]**
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Bay Division Pipeline Reliability Upgrade Project, CUW 36801, 36802 and 36803; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.
(Public Utilities Commission)

8/3/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

090980 **[CEQA findings for SFPUC Water System Improvement Program San Joaquin Pipeline System Project]**

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and the statement of overriding considerations related to the San Joaquin Pipeline System Project, Project No. CUW37301; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.
(Public Utilities Commission)

8/3/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091004 **[Petitions and Communications]**

Petitions and Communications received from July 28, 2009, through August 3, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 11, 2009.

From SF Civil Grand Jury, submitting a report entitled "Pensions: Beyond Our Ability to Pay." (1)

From SF Civil Grand Jury, submitting a report entitled "Truants Can Be Joyful Learners, Too." File No. 090920 (2)

From Office of the Controller, submitting the Controller's Annual Report of Municipal Code-Mandated Fee Reviews and Schedules for FY 2009-2010. (3)

From Department of the Environment, submitting the Annual Integrated Pest Management Program Report for FY 2006-2007. (4)

From Human Services Agency, submitting a waiver of Administrative Code Chapter 12B for Fleetcor Tech dba Chevron. (5)

From Public Utilities Commission, regarding the review of franchise fees NRG Energy Center, San Francisco, LLC, pays to the City and County to use City streets to install, construct, maintain and operate stream pipe conduits. Copy: Each Supervisor (6)

From Police Department, regarding the status of removing police barricades left from the 2009 Bay to Breakers race at the corner of Hayes and Pierce. Copy: Supervisor Mirkarimi (7)

From Fontana West Apartment Corporation, regarding the proposed bicycle plan and the traffic congestion at Van Ness and North Point. File No. 090912, Copy: Each Supervisor (8)

From Adams, Broadwell, Joseph & Cardozo, regarding a request for continuance of hearing of appeal for 1960-1998 Market Street. File No. 090871, Copy: Each Supervisor (9)

From Charles Cagnon, urging the Board of Supervisors to reject the Bicycle Plan. File No. 090912, Copy: Each Supervisor (10)

From Office of the Mayor, submitting a notice that Mayor Newsom will be out of State from July 30, 2009, until August 3, 2009. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor (11)

From Office of Clerk of the Board, submitting a Form 700 Statement of Economic Interest for Frank Darby-leaving. (12)

From Project Homeless Connect, letter requesting support for California Pacific Medical Center's plans to build seismically safe hospitals at the Cathedral Hill site on Van Ness Avenue and at St. Luke's. (13)

From Office of the Controller, submitting a report concerning the compliance audit of Virgin America, Inc. (14)

From Department of Public Works, submitting the status of repairing potholes at various locations in District 5. (Reference No. 20090630-006) (15)

From Department of Human Resources, submitting a "revised" list of City and County employees by gender, age, race and ethnicity, classification, title and department that have been laid off or have received a layoff notice, transferred to a new department, or released before completing their 90 day probationary period within FY 2008-2009. (Reference No. 20090616-008) (16)

From Wayne Lanier, commenting on an article in the New York Times regarding ways to reduce energy consumption in our homes and businesses. (17)

From concerned citizens, letter requesting support for preserving the historic 18-hole Sharp Park Golf Course. 13 letters (18)

From Police Commission, submitting a resolution regarding election of the President and Vice President of the Police Commission. Copy: Each Supervisor (19)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

AUG 13 2009

SAN FRANCISCO
PUBLIC LIBRARY

City Hall, Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, August 18, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 11:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the July 21, 2009, and July 28, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

1. 090546 **[Appropriating $119,800,000 of proceeds from debt for wastewater system improvements at the Public Utilities Commission for FY 2009-2010 and 2010-2011]**

Mayor

Ordinance appropriating $119,800,000 of proceeds from debt revenue for the Wastewater Enterprises' Interim Capital Improvement Program and the Sewer System Master Plan Biosolids/Digester and Channel Tunnel Projects at the San Francisco Public Utilities Commission for FY 2009-2010 and 2010-2011 and placing $78,800,000 on Controller's reserve pending the sale of bonds.

(Fiscal Impact.)

8/11/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Elsbernd

2. 090634 **[Accept and Expend Federal Grant - Airport Commission - $203,000]**

Supervisor Elsbernd

Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of $203,000 from the Transportation Security Administration for the Airport K-9 Explosives Detection Team Program.

Question: Shall this Resolution be ADOPTED?

3. 090635 **[Accept and Expend Federal Grant - Airport Commission - $350,500]**

Supervisor Elsbernd

Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of $350,500 from the Transportation Security Administration for the Airport K-9 Explosives Detection Team Program.

Question: Shall this Resolution be ADOPTED?

4. 090932 **[Accept and Expend Grant - HIV Testing and Counseling in STD Clinics - $122,160]**
Supervisor Campos
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the University of Miami in the amount of $122,160 to perform a randomized clinical trial comparing the relative efficacy and cost-effectiveness of two HIV testing strategies; for the period of September 30, 2009, through September 29, 2011.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

5. 090554 **[Building Code - Registration of Vacant/Abandoned Buildings; Maintenance and Security Requirements; Annual Fee and Penalties for Violation]**
Supervisors Chiu, Dufty, Mar
Ordinance amending the San Francisco Building Code by adding Section 103A.4 to require the owner of a vacant or abandoned building to register the building with the Department of Building Inspection, require the owner to maintain the grounds and the exterior and interior of the building secured and in good condition, and provide that a property in violation of the requirements is a public nuisance; and by amending Section 110, Table 1A-J to establish an annual registration fee; adopting environmental and other findings.

8/11/2009, PASSED, ON FIRST READING. Supervisor Mar requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

6. 090889 **[Regulations for Mortgage Modification Consultants]**
Supervisors Campos, Maxwell, Mirkarimi, Dufty, Chiu, Chu, Mar, Avalos
Ordinance amending the San Francisco Police Code by adding Article 27 to regulate mortgage modification consultants by: (1) requiring a written contract describing mortgage modification services to be provided prior to initiation of services; (2) requiring that any contract entered into for these services provide notice that the contract may be cancelled within fourteen calendar days and that services may be obtained free of charge from nonprofit sources; (3) prohibiting collection of fees until the consultant has obtained a written loan modification offer for the homeowner; and (4) providing for enforcement by criminal penalties and a private cause of action for homeowners, and making environmental findings.

8/11/2009, PASSED, ON FIRST READING. Supervisors Mar and Avalos requested to be added as co-sponsors.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Dufty

7. 090219 [Amendment to post-employment restrictions]

Supervisor Elsbernd

Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to extend the one-year restriction on communicating with one's former department to employees and officers who have transferred departments within the City, and to provide that an employee or officer may not be employed by a party to a City contract within one year after the contract date if the employee or officer participated personally and substantially in the award of the contract.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Campos, Daly, Chu

8. 090461 [Providing members of the public with access to language services]

Supervisors Chiu, Daly, Chu, Campos, Mar, Avalos

Ordinance amending the San Francisco Administrative Code by adding new Sections 91.1, 91.8, 91.11, 91.14, 91.18; amending Sections 91.2, 91.3, 91.4, 91.6; amending Section 91.8 and renumbering Section 91.8 as 91.9; amending Section 91.9 and renumbering Section 91.9 as 91.10; amending Section 91.11 and renumbering Section 91.11 as 91.13; amending Section 91.12 and renumbering Section 91.12 as 91.15; amending Section 91.14 and renumbering Section 91.14 as 91.17; renumbering Sections 91.10 as 91.12 and 91.13 as 91.16 to rename the Equal Access Ordinance to Language Access Ordinance and add findings; to develop language services protocols in crisis situations, to amend the contents required in departmental Annual Compliance Plans; to create reporting requirements, to create and outline the Office of Civic Engagement and Immigrant Affairs' responsibilities; to clarify the Ordinance intent to promote the general welfare of the public; to require all City departments to comply with the minimal requirements set forth in this Ordinance; to expand the number of City departments that must comply with the Ordinance in its entirety; to require all City departments to inform Limited English Speaking Persons of their rights under the Ordinance; to require all City Boards, City Commissions, and City Departments to translate meeting minutes; and to amend the compliant procedures.

8/11/2009, PASSED, ON FIRST READING. Supervisors Campos, Mar, and Avalos requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Campos, Daly

9. 090878 **[Settlement of Lawsuits - John Tennison and Antoine Goff totaling $7,500,000]**

Ordinance authorizing settlement of the lawsuits filed by John Tennison and Antoine Goff against the City and County of San Francisco for the total amount of $7,500,000. The John Tennison lawsuit was filed on February 11, 2004, in the United States District Court for the Northern District of California, Case No. C04-0574 CW; entitled John Tennison, et al., v. City and County of San Francisco, et al. and will be settled by the payment of $4,600,000. The Antoine Goff lawsuit was filed on April 27, 2004, in the United States District Court for the Northern District of California, Case No. C04-1643 CW; entitled Antoine Goff, et al., v. City and County of San Francisco, et al. and will be settled by the payment of $2,900,000.
(City Attorney)

8/11/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 090896 **[Settlement of Lawsuit - John Williams - $27,000]**

Ordinance authorizing settlement of the lawsuit filed by John Williams against the City and County of San Francisco for $27,000; the lawsuit was filed on September 5, 2008, in San Francisco Superior Court, Case No. 479-512; entitled John Williams v. City and County of San Francisco, et al.
(City Attorney)

8/11/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 090897 **[Settlement of Lawsuit - Benson Chen - $75,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by Benson Chen against the City and County of San Francisco for $75,000; the lawsuit was filed on November 2, 2007, in San Francisco Superior Court, Case No. 468791; entitled Benson Chen v. City and County of San Francisco, et al.
(City Attorney)

8/11/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 090898 **[Settlement of Lawsuit - Yue Kong Kam - $102,327.06]**

Ordinance authorizing settlement of the lawsuit filed by Yue Kong Kam against the City and County of San Francisco for $102,327.06; the lawsuit was filed on June 19, 2008, in San Francisco Superior Court, Case No. 476-544; entitled Yue Kong Kam, et al. v. City and County of San Francisco, et al.
(City Attorney)

8/11/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 090899 [Settlement of Lawsuits - United States of America - $7,000,000]

Ordinance authorizing settlement of the two lawsuits filed by the United States of America against the City and County of San Francisco for $7,000,000; the two lawsuits were filed on August 22, 2005, and September 6, 2007, in the United States District Court for the Eastern District of California, Case No. 2:05 CV 01693 entitled United States of America v. City and County of San Francisco, et al. and Case No. 1:07 CV 01300 entitled United States of America v. City and County of San Francisco, et al. and appropriating $7,000,000 of fund balance from the Hetch Hetchy Fund for this purpose.
(City Attorney)

8/11/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Campos, Daly, Dufty

14. 090120 [Appointments, Community Oversight Committee Regarding Enforcement of Marijuana Offenses - Gregory Ledbetter, Catherine Smith and Michael Barbitta]

Motion appointing Gregory Ledbetter, Catherine Smith and Michael Barbitta, terms ending January 1, 2011, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

Question: Shall this Motion be APPROVED?

15. 090953 [Appointments, Commission of Animal and Welfare - Philip Gerrie, Pam Hemphill, Sally Stephens and Andrea Brooks]

Motion appointing Philip Gerrie, Pam Hemphill, Sally Stephens and Andrea Brooks, terms ending April 30, 2011, to the Commission of Animal Control and Welfare.

Question: Shall this Motion be APPROVED?

16. 090954 [Appointments, Immigrant Rights Commission - Lorena Melgarejo, Felix Fuentes and Ana Perez]

Motion appointing Lorena Melgarejo, Felix Fuentes and Ana Perez, residency requirement waived, terms ending June 6, 2011, to the Immigrant Rights Commission.

Question: Shall this Motion be APPROVED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Land Use and Economic Development Committee Without Recommendation

Present: Supervisors Maxwell, Mar, Chiu

17. 090575 **[Hunters View - Street Vacation Order]**
Ordinance ordering the vacation of portions of Fairfax Avenue and West Point Road and various public service easements; making environmental findings and findings of consistency with the City's General Plan and the priority policies of Planning Code Section 101.1; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including AT&T, Pacific Gas and Electric Company, and the City; reserving temporary private access easement to adjacent owner; accepting Department of Public Works Order No. 178,144; and authorizing official acts in connection with this Ordinance.
(Public Works Department)

8/11/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee Without Recommendation

Present: Supervisors Campos, Daly

18. 090895 **[Settlement of Lawsuit - Linda Caratti - $80,000]**
Ordinance authorizing settlement of the lawsuit filed by Linda Caratti against the City and County of San Francisco for $80,000; the lawsuit was filed on August 28, 2008, in San Francisco Superior Court, Case No. 479214; entitled Linda Caratti, v. City and County of San Francisco, et al.; other material terms of said settlement are that the City and San Francisco Zoological Society agree to a mutual release of claims for indemnification.
(City Attorney)

8/11/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Chu, Campos

19. 090964 **[Appropriating $194,279,046 to fund construction of the Public Utilities Commission's Headquarters Building at 525 Golden Gate Avenue for FY 2009-2010, and adopting environmental findings]**

Mayor, Supervisor Dufty

Ordinance appropriating $194,279,046, including $167,670,000 in Certificates of Participation and $26,609,046 in Hetch Hetchy unappropriated fund balance to fund construction of the new Public Utilities Commission headquarters building at 525 Golden Gate Avenue for the Public Utilities Commission in Fiscal Year 2009-2010 and placing $167,670,000 on Controller's reserve pending the sale of Certificates of Participation, and adopting environmental findings.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 090985 **[Setting San Francisco FY 2009-2010 property tax rate and establishing pass-through rate for residential tenants]**

Supervisor Avalos

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 090986 **[Setting San Francisco Community College District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]**

Supervisor Avalos

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 090987 **[Setting San Francisco Unified School District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]**

Supervisor Avalos

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 090988 **[Setting San Francisco Bay Area Rapid Transit District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]**

Supervisor Avalos

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2010.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 090918 **[Grant and Cooperative Agreement with Metropolitan Transportation Commission not to exceed $29,150,000]**

Resolution authorizing the San Francisco Municipal Transportation Agency to enter into a Grant and Cooperative Agreement with the Metropolitan Transportation Commission to procure, through existing TransLink® contracts, new SFMTA TransLink®-only fare collection equipment and related support services, for an amount not to exceed $29,150,000, to help complete the rollout of the regional TransLink® smartcard system.

(Municipal Transportation Agency)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

25. 090965 **[Certificates of Participation for 525 Golden Gate Avenue]**

Mayor, Supervisor Dufty

Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the issuance of City and County of San Francisco Certificates of Participation and authorizing the preparation, execution and delivery of a final official statement; delegating to the Director of Public Finance the authority to sell the certificates by either a competitive or negotiated sale; authorizing the reimbursement of prior expenditures; ratifying the approvals and terms and conditions of a previous resolution; and related matters.

Question: Shall this Resolution be ADOPTED?

26. 090907 **[Contract to rehabilitate 16 Presidential Conference Committee historic streetcars]**

Supervisor Chiu

Resolution authorizing the Municipal Transportation Agency to enter into a contract with Brookville Equipment Corporation to rehabilitate 16 Presidential Conference Committee historic streetcars for an amount not to exceed $18,712,576 and a term not to exceed five years.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

27. 090969 **[Lease purchase financing for the acquisition of replacement emergency back-up electric generators for San Francisco General Hospital not to exceed $25,000,000]**

Mayor

Resolution authorizing the Executive Administrator of the San Francisco General Hospital to obtain lease purchase financing in an amount not to exceed $25,000,000 for the acquisition of replacement emergency back-up electric generators for San Francisco General Hospital; approving the form of a lease purchase financing agreement between San Francisco General Hospital and a lender named therein, and approving and ratifying previous actions taken in connection therewith.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

28. **090994** **[Certificates of Participation for multiple capital improvement projects]**
Mayor
Resolution approving the form of and authorizing the distribution of a preliminary official statement relating to the execution and delivery of City and County of San Francisco Certificates of Participation and authorizing the preparation, execution and delivery of a final official statement; delegating to the Director of Public Finance the authority to sell the certificates by either a competitive or negotiated sale; ratifying the approvals and terms and conditions of a previous resolution; declaring the official intent of the City and County of San Francisco to reimburse itself from the proceeds of future bonded indebtedness for purposes of complying with the Internal Revenue Code of 1986, as amended; and related matters.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Elsbernd

29. **090940** **[Jewish Home of San Francisco Psychiatric Facilities - Designation Agreement]**
Mayor, Supervisor Dufty
Resolution designating Jewish Home of San Francisco as an Evaluation and Treatment Facility for individuals 75 years and older; and authorizing the Director for Community Behaviorial Health Services to enter into a Designation Agreement with said facility.

Question: Shall this Resolution be ADOPTED?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Dufty, Elsbernd

30. **090888** **[Calling on San Francisco Municipal Transportation Agency to calm traffic on Addison Street]**
Supervisor Dufty
Resolution calling on the San Francisco Municipal Transportation Agency to install speed humps or speed cushions on Addison Street.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Maxwell, Mar, Chiu

31. **090933** **[Unpermitted Subsidewalk Encroachment into Public Right-of-Way]**
Supervisors Chiu, Elsbernd
Ordinance amending Article 15 of the San Francisco Public Works Code by adding Section 723.3, establishing that an unpermitted subsidewalk encroachment into the public right-of-way along the Central Subway Corridor constitutes a public nuisance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 090934 **[Public Works Code - Appellate body for minor sidewalk encroachments]**
Supervisors Chin, Elsbernd
Ordinance amending Public Works Code Section 723.2 to change the appellate body for Minor Sidewalk Encroachment Permits for subsidewalk encroachments from the Board of Appeals to the Board of Supervisors.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 090866 **[Traffic Regulation - Closure of McCoppin Street west of Valencia Street to vehicular traffic]**
Supervisor Mirkarimi
Resolution closing McCoppin Street west of Valencia Street to vehicular traffic; adopting findings, including environmental and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1; and authorizing official acts in connection with the street closure.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Daly, Dufty

34. 090952 **[Appointment, California State Association of Counties - Supervisor Eric Mar]**
Motion appointing Supervisor Eric Mar, term ending November 28, 2009, to the California State Association of Counties.

Question: Shall this Motion be APPROVED?

35. 091022 **[Appointment, Immigrants Rights Commission - Toye Moses]**
Motion appointing Toye Moses, term ending June 6, 2011, to the Immigrant Rights Commission. (Supervisor Daly dissented in Committee.)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

The President may entertain a motion to continue the following File Nos. 090875, 090923, 090924, 090925 to September 15, 2009.

36. 090875 **[Public Hearing - Conditional Use Appeal for 1960-1998 Market Street]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17894 dated June 4, 2009, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2006.1431ECV), pursuant to Planning Code Sections 121.1, 228, 303, and 731.11 to allow the demolition of a service station and the development of a mixed use building (with up to 115 residential units over ground-floor commercial space and partially subterranean garage for 69 independently accessible off-street parking spaces: 58 - residential; 5 - commercial; and 6 - car-share) on a development lot over 9,999 square feet within the Market & Octavia Plan Area, an NCT-3 (Neighborhood Commercial, Moderate Scale, Transit) District and an 85-X Height and Bulk District, on property located at 1960-1998 Market Street, Lot Nos. 005, 006, & 007 in Assessor's Block 0872. (Appellant: Stephen M. Williams)
(Filed 7/6/09; Companion measure to Files 090923, 090924, 090925; District 8.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

37. 090923 **[Approving Planning Commission decision related to Conditional Use Appeal for 1960-1998 Market Street]**
Motion approving decision of the Planning Commission by its Motion No. 17894, approving Conditional Use Application 2006.1431ECV on property located at 1960-1998 Market Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

38. 090924 **[Disapproving Planning Commission decision related to Conditional Use Appeal for 1960-1998 Market Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 17894, approving Conditional Use Application 2006.1431ECV on property located at 1960-1998 Market Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

39. 090925 **[Preparation of findings related to the Conditional Use Appeal for 1960-1998 Market Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2006.1431ECV on property located at 1960-1998 Market Street, for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

40. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

41. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 42 through 44

42. 091017 [Supporting the Children's Defense Fund Health Coverage for All Children Campaign]

Supervisor Alioto-Pier

Resolution supporting the Children's Defense Fund's Health Coverage for All Children Campaign.

8/11/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 091018 [FY 2009-2010 California Constitution Appropriations Limit]

Supervisor Avalos

Resolution establishing the appropriations limit for FY 2009-2010 pursuant to California Constitution Article XIII B.

8/11/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 091019 [Reaffirming the Board of Supervisors' support for the expeditious completion of the Mexican Museum Project at the Yerba Buena Garden site]

Supervisors Campos, Alioto-Pier, Avalos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi

Resolution reaffirming the Board of Supervisors' support for the Mexican Museum project, and calling upon all parties, including the San Francisco Redevelopment Agency, Millennium Partners, the San Francisco Arts Commission, and Fort Mason to support the expeditious completion of the project, including helping the Mexican Museum retain its lease with Fort Mason concurrent with and through the development, construction and actualization of the Mexican Museum project at the Yerba Buena Garden site.

8/11/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

45. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 4, 2009, to August 10, 2009, for reference by President to appropriate committee on August 18, 2009.

091008 **[Settlement of Grievance - Elina Sulimov - $130,000]**
Ordinance authorizing settlement of the lawsuit filed by Elina Sulimov against the City and County of San Francisco for $130,000; the lawsuit was filed on December 26, 2008, Case No. 478007; entitled Elina Sulimov, v. City and County of San Francisco.
(City Attorney)

8/7/2009, RECEIVED AND ASSIGNED to Rules Committee.

091020 **[Discretionary Review - Planning Department Fees]**
Ordinance amending the San Francisco Planning Code by amending Section 311 and 312 to provide that a request for discretionary review will be heard by the Planning Commission or its designee if the application demonstrates exceptional and ordinary circumstances as defined, to replace the term Residential Design Guidelines with the term Residential Design Standards, and to repeal the ability of a project sponsor to request discretionary review; amending Sections 352 and 355 to allow for collection and refund of fees associated with Planning Department Reconsideration; adopting environmental and Section 302 findings.
(Planning Department)

8/12/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/11/2009.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 4, 2009, to August 10, 2009, for reference by President to appropriate committee on August 18, 2009.

090955 **[Settlement of Administrative Enforcement Action]**
Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $115,000.

8/4/2009, RECEIVED AND ASSIGNED to Rules Committee.

090981 **[Street Encroachment at 1230-1240 Twin Peaks Boulevard]**
Resolution granting revocable permission to Michael Chung to occupy, excavate and regrade an existing unimproved portion of the public right-of-way to construct and maintain private concrete driveways with retaining walls, walkways and steps with accommodations for drainage and new landscaping to provide pedestrian and vehicular access to two (2) new single family dwellings at 1230-1240 Twin Peaks Boulevard (Block 2821, Lots 022 & 021), conditioned upon the payment of an annual assessment fee, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Public Works Department)

8/6/2009, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091005 **[Settlement of Unlitigated Claim - Rajitha Sangha - $30,000]**
Resolution approving the settlement of unlitigated claim of Rajitha Sangha against the City and County of San Francisco for $30,000; claim was filed on July 7, 2008.
(City Attorney)

8/7/2009, RECEIVED AND ASSIGNED to Rules Committee.

091006 **[Settlement of Unlitigated Claim - Ferry Building Associates - $107,798.50]**
Resolution approving the settlement of the unlitigated claim filed by Ferry Building Associates against the City and County of San Francisco for $107,798.50; claim was filed on January 26, 2009.
(City Attorney)

8/7/2009, RECEIVED AND ASSIGNED to Rules Committee.

091007 **[Airport Concession Lease]**
Resolution approving the Terminal 3 Concourse Specialty Store Lease to Air Sun, a joint venture between Sunglass Hut Trading, LLC and Corliss Stone-Littles, LLC, and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

8/10/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091009 **[Settlement of Unlitigated Claim - Rose Dennis - $90,670.20]**

Resolution approving settlement of the unlitigated claim submitted by Rose Dennis against the City and County of San Francisco for $90,670.20; claim was submitted on April 2, 2009.
(City Attorney)

8/7/2009, RECEIVED AND ASSIGNED to Rules Committee.

091023 **[Petition and Communications]**

Petitions and Communications received from August 4, 2009, through August 10, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 18, 2009.

From various City Departments, submitting notification that the adopted Budget for FY 2009-2010 is adequate for the Department to meet service levels as proposed by the Board: (1)

Economic and Workforce Development
Department of Human Resources
Human Rights Commission
Department of Child Support Services
Office of the Controller
Recreation and Park Department
Department of the Status of Women
First 5 San Francisco, Children and Families Commission
Fine Arts Museums of San Francisco
Board of Supervisors
Residential Rent Stabilization and Arbitration Board
San Francisco War Memorial and Performing Arts Center
Adult Probation Department
Municipal Transportation Agency

From San Francisco Public Utilities Commission, submitting a report with the Board analyzing whether NRG is complying with all provisions of SF Administrative Code Section 11.44. Copy: Each Supervisor (2)

From Office of the Mayor, submitting a letter designating Supervisor Carmen Chu as Acting-Mayor from 11:00 a.m. on Saturday, August 8, 2009, until 10:45 a.m. Sunday, August 9, 2009. Copy: Each Supervisor (3)

From Capital Planning Committee, regarding a Recommendation on Supplemental Appropriation Request for the San Francisco Public Utilities Commission's (SFPUC) Headquarters Building Project at 525 Golden Gate Avenue. Copy: Each Supervisor (4)

From First 5 San Francisco, submitting a response to Supervisor Alioto-Pier's inquiry regarding the Healthy Families Program. (Reference 20020721-008) (5)

From Civil Service Commission, regarding a Survey of Monthly Rates Paid to Police Officers and Firefighters in all Cities of 350,000 or More in the State of California. Copies: Each Supervisor (6)

From Department of Elections, regarding a Disclaimer Requirements for Local Ballot Measures: Endorse, Oppose or Take No Position on a Measure (Municipal Elections Code (MEC) Section 500(c)(8). Copy: Each Supervisor (7)

From Superior Court of California, submitting notification that the Adopted Budget for FY 2009-2010 is not adequate for the Department to meet service levels as proposed by the Board. Copy: Each Supervisor (8)

From Office of the Controller - City Services Auditor, submitting the Department of Public Health, Monitoring of A-133 Single Audit Reports for Agencies Awarded Federal Funds by DPH in FY 2007-2008. (9)

From T-Mobile, regarding T-Mobile West Corporation as successor in interest to Omnipoint Communications, Inc. dba T-Mobil (U-3056-C0), Notification Letter for T-Mobile Site No.

SF13115B. (10)

From Office of the Controller, regarding the State Budget Impact - Preliminary Report. Copies: Budget & Finance Committee Members (11)

From Mary Miles, submitting comments in support of Appeal of Certification of Environmental Impact Report (EIR) by the San Francisco Planning Commission on 6/25/09, and Opposing Actions Approving, Adopting, or Implementing the San Francisco Bicycle Plan Project. Copies: Each Supervisor (12)

From Roger P. Maineri, submitting a copy of a letter sent to Director of Public Works, regarding graffiti removal from their building. (13)

From Department of Public Health, regarding the Department of Public Health Budget Cuts. Copies: Each Supervisor (14)

From Yerba Buena Community Benefit District, submitting the 2008-2009 Annual Report. (15)

From Office of the Controller, submitting a copy of an Audit Memo regarding Aging and Adult Services Lacks Key Accounting controls to Safeguard Client Assets in Three of its Programs (Public Administrator, Public Guardian, Representative Payee). (16)

From Office of the Controller, submitting a copy of the Annual Salary Ordinance FY 2009-2010. File No. 090778 (17)

From Office of the Controller, submitting a copy of the Annual Appropriation Ordinance FY 2009-2010. File No. 090779 (18)

From Francisco Da Costa, submitting a link to newspaper article "Bayview in the Year 2009." (19)

From Office of Clerk of the Board, submitting a Form 700 Statement of Economic Interest for William Barnes - Legislative Assistant - assuming office. (20)

From Marilyn Amini, regarding the procedure the Board used when calling from Committee File Nos. 090867 and 090868. (21)

From Rachel Ebora, submitting a letter of support for the Bicycle Plan Project FEIR. File No. 090913 (22)

From Department of Public Works, submitting a response to repairing potholes in District 5. (Reference 20090728-005) (23)

From James Chaffee, regarding the Democracy in its Representative Form: An Attendance Policy (Library Commission). (24)

From concerned citizen, regarding the Statue of Neda Agha-Soltan on display at City Hall. Received 5 letters. (25)

From concerned citizens, submitting letters of support for preserving Sharp Park Golf Course. Received 2 Letters and copies of On-Line Petition (900+). (26)

From concerned citizens, submitting letters of support for the proposed transformation of Sharp Park. Received 11 Letters. (27)

From Mrs. Burrell, expressing various concerns, relating to homelessness, estate liquidation, etc. (28)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

SEP 11 2009

SAN FRANCISCO
PUBLIC LIBRARY

City Hall, Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 15, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 11:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the August 4, 2009 and August 11, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Chu, Campos

1. 090964 **[Appropriating $194,279,046 to fund construction of the Public Utilities Commission's Headquarters Building at 525 Golden Gate Avenue for FY 2009-2010, and adopting environmental findings]**

Mayor, Supervisor Dufty

Ordinance appropriating $194,279,046 including $167,670,000 in Certificates of Participation and $26,609,046 in Hetch Hetchy unappropriated fund balance to fund construction of the new Public Utilities Commission headquarters building at 525 Golden Gate Avenue for the Public Utilities Commission in Fiscal Year 2009-2010 and placing $167,670,000 on Controller's reserve pending the sale of Certificates of Participation, and adopting environmental findings.

(Fiscal Impact.)

8/18/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 090985 **[Setting San Francisco FY 2009-2010 property tax rate and establishing a pass-through rate for residential tenants]**

Supervisor Avalos

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2010.

8/18/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 090986 **[Setting San Francisco Community College District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]**

Supervisor Avalos

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2010.

8/18/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 090987 **[Setting San Francisco Unified School District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]**

Supervisor Avalos

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2010.

8/18/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 090988 **[Setting San Francisco Bay Area Rapid Transit District's FY 2009-2010 property tax rate to be included in the City's overall property tax rate]**

Supervisor Avalos

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2010.

8/18/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

6. 090933 **[Unpermitted Subsidewalk Encroachment into Public Right-of-Way]**

Supervisors Chiu, Elsbernd

Ordinance amending Article 15 of the San Francisco Public Works Code by adding Section 723.3, establishing that an unpermitted subsidewalk encroachment into the public right-of-way along the Central Subway Corridor constitutes a public nuisance.

8/18/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 090934 **[Public Works Code - Appellate body for minor sidewalk encroachments]**
Supervisors Chiu, Elsbernd
Ordinance amending Public Works Code Section 723.2 to change the appellate body for Minor Sidewalk Encroachment Permits for subsidewalk encroachments from the Board of Appeals to the Board of Supervisors.

8/18/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Daly, Dufty

8. 090219 **[Amendment to post-employment restrictions]**
Supervisor Elsbernd
Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to extend the one-year restriction on communicating with one's former department to employees and officers who have transferred departments within the City, and to provide that an employee or officer may not be employed by a party to a City contract within one year after the contract date if the employee or officer participated personally and substantially in the award of the contract.

8/18/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors Dufty, Elsbernd

9. 090888 **[Calling on San Francisco Municipal Transportation Agency to calm traffic on Addison Street]**
Supervisor Dufty
Resolution calling on the San Francisco Municipal Transportation Agency to install speed humps or speed cushions on Addison Street.

8/18/2009, CONTINUED. Continued to September 15, 2009.
Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Board of Supervisors Sitting as a Committee of the Whole

Pending approval of File 091087.

Pursuant to Board of Supervisors Rule 5.30 (Timing of Committee Recommendations) when State and local law requires the Board to act by a certain date, the Clerk of the Board shall place the legislation on the agenda for the full Board in the event the Committee is not able to take timely action.

10. 091081 **[Committee of the Whole - Mayor's Notice of Appointments of Barbara Sklar and Astrid Haryati to the Arts Commission]**
Hearing to consider the motions to approve or reject the Mayor's appointments of Barbara Sklar, term ending July 1, 2011, and Astrid Haryati, term ending on January 15, 2010, to the Arts Commission.

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

(Only one of the following two motions should be approved.)

11. 091061 **[Appointment, Arts Commission - Barbara Sklar]**
Motion approving the Mayor's appointment of Barbara Sklar to the Arts Commission, for the term ending July 1, 2011.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – August 21, 2009.)

Question: Shall this Motion be APPROVED?

12. 091062 **[Appointment, Arts Commission - Barbara Sklar]**
Motion rejecting the Mayor's appointment of Barbara Sklar to the Arts Commission, for the term ending July 1, 2011.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – August 21, 2009.)

Question: Shall this Motion be APPROVED?

(Only one of the following two motions should be approved.)

13. 091063 **[Appointment, Arts Commission - Astrid Haryati]**
Motion approving the Mayor's appointment of Astrid Haryati to the Arts Commission, for the term ending January 15, 2010.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – August 21, 2009.)

Question: Shall this Motion be APPROVED?

14. 091064 **[Appointment, Arts Commission - Astrid Haryati]**
Motion rejecting the Mayor's appointment of Astrid Haryati to the Arts Commission, for the term ending January 15, 2010.
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – August 21, 2009.)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4 pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4 pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4 pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4 pm.*

15. **090871** **[Public Hearing - Appeal of Mitigated Negative Declaration - 1960-1998 Market Street]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion 17865, adopted April 16, 2009, affirming the decision of the Planning Department to issue a Mitigated Negative Declaration (Planning Case No. 2006.1431E) for the proposed development at 1960-1998 Market Street. The proposed project would demolish a service station and develop a mixed use building with up to 115 residential units over ground-floor commercial space and a partially subterranean garage with 69 parking spaces, located in the Market & Octavia Plan area, Assessors Block 0872, Lots 005-007. (Appellant: Tanya Gulesserian on behalf of the San Francisco Building and Construction Trades Council)
(Filed July 6, 2009; Companion Meaussre to 090872, 090873, 090874; District 5.)

8/4/2009, CONTINUED. Continued to September 15, 2009.
Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

22. 090925 **[Preparation of findings related to the Conditional Use Appeal for 1960-1998 Market Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2006.1431ECV on property located at 1960-1998 Market Street, for action by the Board at its next meeting.
(Clerk of the Board)

8/18/2009, CONTINUED. Continued to September 15, 2009.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, September 14, 2009, at 10:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, September 15, 2009.

23. 091035 **[Accept and Expend Federal Grant Funds - Airport - $11,000,000]**
Mayor, Supervisor Elsbernd
Resolution authorizing the Airport to accept and expend a grant in the amount of $11,000,000 from the Federal Aviation Administration for additional American Recovery and Reinvestment Act funds to enhance airfield safety projects.

Question: Shall this Resolution be ADOPTED?

24. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

25. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 26 through 37

26. 091040 [Chinese Exclusion Act of 1882]
Mayor, Supervisors Chiu, Chu, Mar
Resolution acknowledging the regrettable role that San Francisco has played in advancing the policies of the Chinese Exclusion Act of 1882, the first federal law to discriminate against a specific group solely on the basis of race or nationality, and celebrating the significant contributions of the Chinese-American community.

8/18/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

27. 091041 [Need for multilingual 2010 Census advance letter]
Supervisor Chiu
Resolution calling for an inclusive and multilingual advance letter in the 2010 Census.

8/18/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 091042 [Accept and Expend State Grants - Department of Public Health - $11,855.40]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively three grants totaling $11,855.40, from the California Department of Food and Agriculture; for the period of July 1, 2009, through June 30, 2010.

8/18/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 091043 [Accept and Expend Grant - Department of Public Health - $15,055]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $15,055 from the Public Health Foundation Enterprises, to support a research project entitled "Viral Load Study;" for the period of April 1, 2009, through March 31, 2010.

8/18/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 091044 **[Supporting the passage of the Senate Constitutional Amendment 21]**

Supervisor Campos

Resolution supporting the passage of Senate Constitutional Amendment 21 relating to the autonomy of the University of California.

8/18/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 091045 **[Requesting suspension of conversion of natural fields to artificial surfaces - Recreation and Park Department]**

Supervisor Mirkarimi

Resolution requesting that the Recreation and Park Department temporarily suspend the program of converting natural turf playing fields to artificial surfaces pending release of a report by the California Office of Environmental Health Hazard Assessment on the health and environmental impacts of synthetic turf fields.

8/18/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 09/04/09 - Referred to the Youth Commission.

Question: Shall this Resolution be ADOPTED?

32. 091046 **[Requesting Caltrans to participate in San Francisco Workforce Development Programs]**

Supervisor Mirkarimi

Resolution requesting Caltrans and its contractors and subcontractors to actively participate in San Francisco Workforce Development Programs when hiring for projects to be constructed within the City and County of San Francisco.

8/19/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 091025 **[Final Map - 821-823 Taraval Street]**

Motion approving Final Map 5427, a six residential unit and one commercial unit mixed-use condominium project, located at 821–823 Taraval Street being a subdivision of Lot 031 in Assessors Block No. 2407 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 178,301; District 7.)

9/1/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

34. 091026 **[Final Map - 1155-1177 Tennessee Street]**

Motion approving Final Map 5060, a seven unit residential and one unit commercial mixed-use condominium project, located at 1155–1177 Tennessee Street being Lots 041 and Lots 044, 045, 046 in Assessors Block No. 4172 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 178,321; District 10.)

9/1/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

35. **091027** **[Final Map - 555 Bartlett Street; 3400-3428 Cesar Chavez Street]**

Motion approving Final Map 5234, a 3 lot airspace subdivision and a 58 residential unit, a 5 commercial unit and a 67 commercial unit mixed-use condominium project, located at 555 Bartlett Street, 3400–3428 Cesar Chavez Street, being a subdivision of Lot 004 in Assessors Block No. 6569 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 178,324; District 9.)

9/1/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

36. **091047** **[Final Map 4654 - 1315-1327 7th Avenue]**

Motion approving Final Map 4654, an 11 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 1315–1327 7th Avenue being a subdivision of Lot 052 in Assessors Block No. 1762 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 178,050; District 5.)

8/13/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

37. **091087** **[Committee of the Whole - Mayor's Notice of Appointments of Barbara Sklar and Astrid Haryati to the Arts Commission]**

Motion scheduling the Board to sit as a Committee of the Whole to hear the Mayor's appointments of Barbara Sklar, term ending July 1, 2011, and Astrid Haryati, term ending on January 15, 2010, to the Arts Commission.

9/10/2009, RECEIVED AND ASSIGNED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

38. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 18, 2009, to September 4, 2009, for reference by President to appropriate committee on September 15, 2009.

091059 **[Correction to the vacation of former Trenton Street]**
Ordinance ordering the summary vacation of a portion of Trenton Street south of Jackson Street within Assessor's Block 0192; making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; establishing conditions to the effectiveness of the vacation; adopting environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Real Estate Department)

8/20/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/15/2009.

091070 **[Settlement of Lawsuit - Pat Moore/Tom Moore - $120,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore/Tom Moore against the City and County of San Francisco for $120,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

9/4/2009, RECEIVED AND ASSIGNED to Rules Committee.

091071 **[Settlement of Lawsuit - James Cordova/Maria Morales - $35,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for $35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

9/4/2009, RECEIVED AND ASSIGNED to Rules Committee.

091072 **[Settlement of Lawsuit - Mehrdad Alemozaffar - $385,000]**
Ordinance authorizing settlement of the lawsuit filed by Mehrdad Alemozaffar against the City and County of San Francisco for $385,000; the lawsuit was filed on July 20, 2007, in United States District Court, Northern District of California, Case No. C07-4494 JSW; entitled Mehrdad Alemozaffar, et al., v. City and County of San Francisco, et al.
(City Attorney)

9/4/2009, RECEIVED AND ASSIGNED to Rules Committee.

091073 **[Settlement of Unlitigated Claim - Patty Thomas - $52,250]**
Resolution approving the settlement of the unlitigated claim filed by Patty Thomas against San Francisco for $52,250; claim was filed on March 3, 2009.

9/4/2009, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 18, 2009, to September 4, 2009, for reference by President to appropriate committee on September 15, 2009.

091053 **[Approval of the cost extension application for HIV prevention projects]**
Resolution authorizing the San Francisco Department of Public Health to submit a two-year application for calendar years 2010 and 2011, to continue to receive funding for the "HIV Prevention Projects" grant from the Centers for Disease Control and Prevention, in the total amount of approximately $16 million in HIV prevention funding for San Francisco; from January 1, 2010, through December 31, 2011.
(Public Health Department)

9/3/2009, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

091054 **[Approval of Department of Building Inspection contracts to provide plan review and field inspection services]**
Resolution approving four Department of Building Inspection interagency agreements to provide plan review and field inspection services to the Transbay Joint Powers Authority, the Treasure Island Development Authority, the Port, and the San Francisco Public Utilities Commission, respectively, per Charter Section 9.118(a).
(Building Inspection Department)

9/4/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091055 **[Adopting findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP) Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project]**

Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.
(Public Utilities Commission)

8/19/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091056 **[Approve San Francisco Public Utilities Commission Peninsula Region Construction Management Contract]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-916, Peninsula Region Construction Management Services, with HDR Engineering, Inc, for an amount not to exceed $22,000,000 with a term of up to 55 months, pursuant to San Francisco Charter Section 9.118.
(Public Utilities Commission)

8/19/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091057 **[Emergency contract to replace main sewer on California Street from Cherry Street to Arguello Boulevard]**

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace the main sewer on California Street from Cherry Street to Arguello Boulevard.
(Public Utilities Commission)

8/24/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091058 **[Emergency contract to replace sewers on Lexington Street from 20th Street to 21st Street and on San Carlos Street from 18th Street to Sycamore Street]**

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace sewers on Lexington Street from 20th to 21st Street and on San Carlos Street from 18th Street to Sycamore Street.
(Public Utilities Commission)

8/24/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091067 **[Approve a Lease with the United States of America at the International Terminal of San Francisco International Airport]**

Resolution approving and authorizing the execution of Lease No. GS-09B-01967 with the United States of America for terminal space to be occupied by the U.S. Federal Bureau of Investigation, a Federal agency, in the International Terminal of San Francisco International Airport.

8/27/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091068 **[Approve amendments to four SFPUC professional engineering services agreements]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase four professional engineering services agreements for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts in excess of $10,000,000 each, pursuant to Charter Section 9.118.
(Public Utilities Commission)

8/28/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091069 **[Approving the Ninth Amendment to contract with Office Depot to increase the dollar amount by more than $500,000]**
Resolution approving the Ninth Amendment to the Agreement between the City and Office Depot (Contractor) for office supplies, increasing the contract's dollar amount to $20,770,000, pursuant to Charter Section 9.118(b).
(Office of Contract Administration)

9/4/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091078 **[Petitions and Communications, Part 1]**

Petitions and Communications received from August 11, 2009, through September 4, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 15, 2009.

From Office of the Controller, submitting letter that all departments except for the Health Service System have submitted budget certification letters. The Public Defender's Office and Superior Court have indicated they cannot certify their budgets are adequate to meet required department service levels. The Asian Art Museum, Fire Department, Police Department, Public Health Department and Sheriff's Office have expressed concerns that their funding may not be adequate in the current year. (1)

From Office of the Public Defender, submitting notification that he cannot certify, in conformance with San Francisco Charter Section 9.115 and San Francisco Administrative Code Section 3.14, that the funding provided in the budget for FY 2009-2010, as adopted by the Board of Supervisors, is adequate for the Office of the Public Defender to meet service levels. (2)

From Office of the Sheriff, submitting notification that the adopted Budget for FY 2009-2010 is adequate for the Department to meet service levels, as proposed by the Board, with four exceptions. (3)

From various City Departments, submitting notification that the adopted Budget for FY 2009-2010 is adequate for their respective Departments to meet service levels, as proposed by the Board: (4)
Airport Commission
Arts Commission
Asian Art Museum
Board of Appeals
Department of Building Inspection
California Academy of Science
Office of Children, Youth and Their Families
City Administrator
Office of Citizens Complaints
City Attorney
Civil Service Commission
District Attorney
Department of Elections
Emergency Management
Employees Retirement System
Department of the Environment
Ethics Commission
Fire Department
Human Services Agency
Juvenile Probation Department
Law Library
Office of the Mayor
Chief Medical Examiner
Municipal Transportation Agency
Redevelopment Agency
Planning Department
Police Department
Port
Department of Public Health
Public Library
Department of Public Works
Department of Technology
Public Utilities Commission

Office of the Treasurer and Tax Collector

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B to administer the Q-50, Police Sergeant Oral Examination at Holiday Inn Fisherman's Wharf. (5)

From Public Utilities Commission, submitting request for waiver of Administrative Code Chapter 12B to purchase upgrade repair, rebuilding work for propane dispensers and emergency generators and propane tanks service work from Northern Energy. (6)

From Recreation and Park Department, submitting the Lead Poisoning Prevention quarterly report. (7)

From Office of the Controller, regarding the City's process for addressing State and Local revenue shortfalls under the FY 2009-2010 Annual Appropriation Ordinance Section 9.3. (8)

From concerned citizens, submitting support for resolution authorizing the Municipal Transportation Agency to enter into a contract with Brookville Equipment Corporation to Rehabilitate 16 Presidential Conference Committee historic streetcars for an amount not to exceed $18,712,576 and a term not to exceed five years. File No. 090907, Copy: Each Supervisor, 9 letters (9)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from August 24, 2009, until August 26, 2009. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor (10)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from September 2, 2009, until September 3, 2009. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor (11)

From Clinton G. Sowerwine, submitting support for the Conditional Use Appeal for 1960 -1998 Market Street. File No. 090875, Copy: Supervisor Chiu (12)

From Law Offices of Stephen Williams, regarding appeal for proposed project at 1960-1998 Market Street. File No. 090875, Copy: Supervisor Chiu (13)

From Richard Yu, submitting request for a type 21 off-sale general liquor license for Skylane International USA Inc., located at 1201 Howard Street. (14)

From Department of Elections, submitting the annual report for the Elections Commission. (15)

From Francisco Da Costa, regarding the sale of the Candlestick Recreation Area in San Francisco. 7 letters (16)

From Francisco Da Costa, regarding Mayor Newsom and his run for Governor. (17)

From Francisco Da Costa, regarding the Lennar Corporation. (18)

From Office of the Mayor, submitting the appointments of Barbara Sklar and Astrid Haryati as members of the Arts Commission effective August 21, 2009. Copy: Rules Clerk (19)

From Office of the Mayor, submitting the appointment of Greg Chew as a member of the Arts Commission effective August 24, 2009. Copy: Rules Clerk (20)

From Department of Elections, regarding the disclaimer requirements for local ballot measures. (21)

From Theresa Sparks, submitting her resignation as a member of the San Francisco Police Commission. Copy: Each Supervisor, Rules Clerk (22)

From Planning Department, regarding public hearing (tentatively scheduled for September 17, 2009) on the stipulation of Conditional Use authorization or Mandatory Discretionary Review of any permit application to remove dwelling units, where the Planning Code does not already require Conditional Use authorization. Copy: Each Supervisor (23)

From Department of Public Works, submitting report regarding the use of Proposition 1B Local Streets and Roads Funds. Copy: Each Supervisor, Land Use Clerk (24)

From Francisco Da Costa, submitting letter regarding the United States Navy fails constituents at Hunters Point Naval Shipyard. (25)

From Office of the Controller, submitting report regarding the construction contract with the Huey Construction Management Co. for the completion of the West Portal Branch Library renovation project. (26)

From Office of the Controller, submitting report regarding the Office of the Assessor-Recorder. (27)

From Office of the Controller, submitting report concerning the concession audit of Guava & Java (SFO) Inc., Guava & Java (SFO) Inc., has a 10-year lease agreement with the Airport Commission. (28)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under the Office of the Treasurer. (29)

From concerned citizens, submitting support for proposed legislation that bans cat-de-clawing in San Francisco. (30)

From State Senate Rules Committee, submitting letter to notify the Board of Supervisors of the reappointment of James Ostrowski of Mt. Shasta and Bruce Saito of Long Beach as members of the State Board of Forestry and Fire Protection. Copy: Each Supervisor (31)

From Ahimsa Sumchai, regarding the closure of the Potrero Hill Power Plant. (32)

From Department of Public Works, submitting the Defective Sidewalk Repair Account Revolving Fund Quarterly Report. (33)

From the Town of Fairfax, submitting resolution in opposition to the "Taxpayers Right to Vote Act" adopted on August 5, 2009. (34)

From Chinese for Affirmative Action, submitting copy of letter sent to the Director of the U.S. Census Bureau, proposing that all direct correspondence between the Census Bureau and residents, include a language box or insert that provides clear in-language instructions for how limited-English proficient residents can receive in-language assistance or materials. (35)

From Office of the Controller, responding to the findings and recommendations related to the 2008-2009 San Francisco County Civil Grand Jury Report titled "Nonprofits, The Good, The Bad, The Ugly." Copy: Government Audit and Oversight Clerk (36)

From Planning Department, regarding the proposed project that would provide approximately $8.7 million in transit service enhancements to the San Francisco Municipal Transportation Agency's FY 2009-2010 Budget. Copy: Each Supervisor (37)

From James Chaffee, submitting letter entitled San Francisco Public Library lacks proper oversight. (38)

From Convention Facilities Department, submitting request for release of reserved funds in the amount of $1,043,160 for use in connection with the City's contract to operate Moscone Center. (39)

091079 **[Petitions and Communications, Part 2]**

Petitions and Communications received from August 11, 2009, through September 4, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 15, 2009.

From Office of the Mayor, submitting copy of letter sent to Supervisor Daly regarding the process for addressing State and Local revenue shortfalls. (40)

From Bay Area Council, submitting support for California Pacific Medical Center's vision for the future of health care in San Francisco. Copy: Each Supervisor (41)

From T-Mobile, submitting notification letter regarding placement of 3 panel antennas at 1453 Mission Street. (42)

From T-Mobile, submitting notification letter regarding placement of 6 panel antennas at 603 Mason Street. (43)

From Department of Public Works, regarding the status of repairing potholes at various locations in District 5. (Reference No. 20090818-002) (44)

From concerned citizens, submitting support for restoring Sharp Park to a natural area. 16 letters (45)

From Office of the District Attorney, submitting the Real Estate Fraud Annual Report for FY 2008-2009. (46)

From Luce, Forward, Hamilton & Scripps, requesting proposed ordinance regarding "unpermitted sub sidewalk encroachment into Public Right-of-Way" is the subject of further review, examination and revision before the City considers its adoption. File No. 090933, Copy: Each Supervisor (47)

From Police Commission, submitting resolution urging the Board of Supervisors and the Mayor to enact an ordinance authorizing the Chief of Police to appoint to the command staff qualified sworn law enforcement officers from outside the Police Department, subject to appropriate limitations. Copy: Each Supervisor (48)

From Municipal Transportation Agency, submitting the Transit Impact Development Fee Update pursuant to Administrative Code Section 38.7. Copy: Each Supervisor (49)

From Roland Wong, regarding the need to install swing doors at the Forest Hill Muni Station to make it accessible to all San Franciscans. (50)

From Bill Quan, submitting opposition to proposed ordinance that classifies families as a protected class under the Owner Move-in legislation. Copy: Each Supervisor (51)

From concerned citizens, submitting support for proposed ban on the practice of declawing cats within the city limits of San Francisco. File No. 091039, Copy: City Operations Clerk & Committee (52)

From Planning Department, regarding the proposed Mitigated Negative Declaration for proposed project at 246 Ritch Street. (53)

From Johann Stahl, commenting on the newly installed planter boxes at Ellis and Jones Streets. (54)

From Boris Erlikh, thanking the Board of Supervisors for keeping the Neighborhood Emergency Response Team (NERT) program around amidst the economic chaos and budget limitation. (55)

From Monette-Shaw, regarding pay cuts to City employees in clerical positions. (56)

From Elizabeth Misner, regarding the homeless population in the Haight. (57)

From Bill Frankenberg, submitting his comments on the new Police Chief George Gascon. (58)

From Ahimsa Porter Sumchai, submitting letter entitled: the bomb in our backyard. (59)

From Bob Home, regarding the "bums" on Broadway. (60)

From Emil Lawrence, regarding statement related to a complaint to be filed with the City Attorney and or Superior Court requesting fines of $10,000 per day from the Municipal Transportation Agency starting March 1, 2009. (61)

From Aaron Goodman, urging the Board of Supervisors to halt all alterations to the Merced Branch Library, until the proposed changes are reviewed by a preservationist that comprehends the effects of the changes proposed for the Merced Branch Library Renovation project. Copy: Supervisor Elsbernd (62)

From concerned citizens, submitting support for preserving the historic 18-hole Sharp Park Golf Course. Copy: Each Supervisor, 17 letters (63)

From Gene Maguire, submitting support for putting the Tenderloin "street animals and Broadway power drinkers" together on Alcatraz Island. (64)

From Stephen Williams, regarding certification of the Final Environmental Impact Report (FEIR) and Conditional Use Authorization for the proposed project at 2901 California Street/1831-1835 Broderick Street (Drew School Addition). Copy: Each Supervisor (65)

From Office of the Controller-City Service Auditor, submitting the Annual Work Plan for FY 2009-2010. (66)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090811-007) (67)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090811-010) (68)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090811-011) (69)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090818-003) (70)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090818-004) (71)

From Department of Public Works, regarding the status of removing graffiti from various locations in District 5. (Reference No. 20090818-005) (72)

From Francisco Da Costa, regarding the Bayview Hunters Point Restoration Advisory Board. (73)

From Department of Public Works, submitting report regarding the Department of Public Works Adopt-A-Tree Account for FY 2008-2009. (74)

From Planning Department, submitting notice of a public hearing to be held on September 30, 2009, regarding the Environmental Impact Report for the 2004 and 2009 Housing Element. Copy: Each Supervisor (75)

From Office of the Mayor, submitting the appointment of Luke O'Brien as a member of the Small Business Commission and Richard J. Guggenhime as a member of the Airport Commission. Copy: Rules Clerk (76)

From concerned citizens, submitting opposition to proposed legislation regarding the confidentiality of juveniles' immigration status. File No. 091032, 2 letters (77)

From Karen Melander-Magoon, regarding the "homeless hot team" and calling 311. (78)

From Lee Goodin, urging the Board of Supervisors to urge ISCOTT to grant an indefinite extension for the little plaza park on Mason Street between Columbus Avenue and Lombard Street. (79)

From Sunshine Ordinance Task Force, regarding complaint filed before the Sunshine Task Force by David Schneider. (80)

From Sunshine Ordinance Task Force, responding to complaint filed by David Schneider. (81)

From Alvin Johnson, submitting letter entitled wrongful incarceration II, the IT Story. (82)

From concerned citizens, commenting on the newly appointed San Francisco Police Chief. 2 letters (83)

From Francisco Da Costa, submitting letter entitled U.S. Navy fails to have a meaningful dialog with the community on superfund, cleanup and related issues. (84)

From Francisco Da Costa, submitting letter entitled corrupt politicians that are shewed in while they deserve to be booted out. (85)

From Francisco Da Costa, submitting letter entitled land grab by Mark Leno. (86)

From Francisco Da Costa, submitting letter entitled Senator Mark Leno fails to find support with SB 792. (87)

From Philip Snyder, submitting letter regarding the HAIA Community forum meeting on the homeless population in the Haight. (88)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to "Sport Fishing Regulations." (89)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to incidental take of the California tiger salamander. (90)

From Secretary of State, submitting notice that a public hearing will be held on September 15, 2009, at the Secretary of State's office to take public testimony on the proposed Trustworthy Electronic Document or Record Preservation regulations. (91)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

SEP 18 2009

SAN FRANCISCO
PUBLIC LIBRARY

City Hall, Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 22, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 11:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the August 18, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Elsbernd

1. 090851 **[Liquor License - 533 Sutter Street]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Matthew Shelton, for Shelton Theater LLC, located at 533 Sutter Street, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

2. 090879 **[Approving amendment to engineering services agreement for SFPUC New Irvington Tunnel Project]**

Resolution approving and authorizing the General Manager of the San Francisco Public Utilities Commission to execute an amendment to increase the amount of a professional services agreement with URS Corporation by $3,900,000 for a total revised agreement amount of $13,898,561 and extend the agreement term by one year for a total revised agreement term of eight years, pursuant to San Francisco Charter Section 9.118(b).

(Public Utilities Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

3. 090993 **[Acquisition of Muni Fillmore Substation at 1190 Fillmore Street]**

Supervisor Mirkarimi

Resolution approving the acquisition of real property with improvements located at 1190 Fillmore Street (at Turk Street), together with a Certificate for 171,308 units of Transferable Development Rights and $135,225 in predevelopment planning funds from the San Francisco Redevelopment Agency for the rehabilitation of the Muni Substation, at no cost to the City.

Question: Shall this Resolution be ADOPTED?

4. 091016 **[Contract between the Department of Public Health and the San Francisco Community Health Authority to provide Provider Payment services for the Healthy San Francisco program]**

Mayor, Supervisor Avalos

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to retroactively contract with the San Francisco Community Health Authority to provide Provider Payment services for the Healthy San Francisco program for the term of July 1, 2009, through June 30, 2010.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

5. 090979 **[CEQA findings for SFPUC Water System Improvement Program, Bay Division Pipeline Reliability Upgrade Project in Alameda and San Mateo Counties]**

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Bay Division Pipeline Reliability Upgrade Project, CUW 36801, 36802 and 36803, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.
(Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

6. 090980 **[CEQA findings for SFPUC Water System Improvement Program, San Joaquin Pipeline System Project]**

Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and the statement of overriding considerations related to the San Joaquin Pipeline System Project, Project No. CUW37301; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.
(Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Elsbernd

7. 090909 **[Citizen's Committee on Community Development]**

Mayor, Supervisors Daly, Avalos, Mirkarimi

Ordinance amending the Administrative Code by adding Section 2A.290 to establish the Citizen's Committee on Community Development, an advisory body jointly appointed by the Mayor and the Board of Supervisors, that is responsible for making policy recommendations and providing for citizen participation regarding community development strategy in the City, and making annual funding recommendations for the Federal Housing and Urban Development Community Development Block Grant and Emergency Shelter Grant programs.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, September 17, 2009, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, September 22, 2009.

8. 091065 [Appointment, Arts Commission - Greg Chew]

Motion approving the Mayor's appointment of Greg Chew to the Arts Commission, for the term ending January 15, 2013.

(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date – August 24, 2009.)

Question: Shall this Motion be APPROVED?

9. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

10. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 11 through 13

11. 091115 **[Mortgage Revenue Bonds]**
Supervisor Daly
Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $22,000,000 for Arlington Residence; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with California Debt Limit Allocations Committee procedures; authorizing the Director to certify to California Debt Limit Allocations Committee that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $22,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

9/15/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

12. 091116 [Accept and Expend Gift - Police Department - $40,000]

Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend a gift in the amount of $40,000 from the Supporters of the San Francisco Police Department's Wilderness Adventure Youth Program, a non-profit organization [501 (c) (3)], for the purchase of two new passenger vans to use on Youth Wilderness Trips.

9/15/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

13. 091117 [Encouraging Ed Stolz, the new owner of FM 92.7, to continue with the Lesbian Gay Bisexual Transgender radio format of Energy 92.7]

Supervisor Dufty

Resolution encouraging Ed Stolz, the new owner of radio station 92.7, to continue with the Community/Lesbian Gay Bisexual Transgender/Dance radio format that has made Energy 92.7 one of the most unique and popular radio stations in San Francisco and the Bay Area.

9/15/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

14. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 5, 2009, to September 14, 2009, for reference by President to appropriate committee on September 15, 2009.

091093 **[Approving Zoning Map Amendments in Connection with the 1500 Page Street Residential Care Special Use District]**
Ordinance amending Section Maps 6H and 6SU of the Zoning Maps of the City and County of San Francisco for the real property located at 1500 Page Street (Assessor's Block 1223/Lot 004) at the northwest corner of Masonic Avenue and Page Street, to reclassify the property from a 40-X Height and Bulk District to a 55-X Height and Bulk District, and to map the 1500 Page Street Residential Care Special Use District in order to permit the expansion of an existing building used for residential care and other considerations; and adopting General Plan, Planning Code and environmental findings.
(Planning Department)

9/11/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/11/2009.

091094 **[Approving agreements for procurement, installation and implementation of San Francisco Public Utilities Commission Advanced Meter Infrastructure System]**
Ordinance approving agreements necessary for the procurement, installation and implementation of the San Francisco Public Utilities Commission's Advanced Meter Infrastructure System, including Water Enterprise Agreement No. CS-936 with VSI Meter Services, Inc., related software license and maintenance agreements with Aclara RF Systems Inc., and a related source code escrow agreement with Aclara RF Systems and U.S. Bank National Association, under Charter Section 9.118; making findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; and ratifying the procurement and contracting processes used by the San Francisco Public Utilities Commission.
(Public Utilities Commission)

9/14/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTION

Proposed resolution received from September 5, 2009, to September 14, 2009, for reference by President to appropriate committee on September 15, 2009.

091095 **[Lease purchase financing for the acquisition of Advanced Meter Infrastructure Equipment]**
Resolution approving the lease purchase financing for the acquisition of Advanced Meter Infrastructure Equipment for the San Francisco Public Utilities Commission; approving the form of a lease purchase financing agreement between the Public Utilities Commission and a lender to be named therein, authorizing the selection of such lender, and ratifying previous actions taken in connection therewith.
(Public Utilities Commission)

9/14/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091121 [Petitions and Communications]

Petitions and Communications received from September 5, 2009, through September 14, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 22, 2009.

From Office of the District Attorney, submitting the District Attorney's Office Real Estate Fraud Annual Report for FY 2008-2009. (1)

From Arts Commission, submitting the Arts Commission Annual Report and the Sole Source Contracts entered into for FY 2008-2009. (2)

From Office of the Controller, submitting response to the 2008-2009 Civil Grand Jury Report titled "Nonprofits, The Good, The Bad, The Ugly." Copy: GAO Clerk (3)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from September 9, 2009, until September 10, 2009. Supervisor Elsbernd will serve as Acting Mayor. Copy: Each Supervisor (4)

From the Ozolos family, submitting support for proposed legislation that bans cat de-clawing in San Francisco. File No. 091039, Copy: CONS Clerk (5)

From Planning Department, submitting notice of environmental review for the Water Supply System Projects at 199 Marview Drive, 1234 Clayton Street, 1239 Jones Street, 122-126 Leroy Street, 698 Second Street and Pump Station No. 2 (within Fort Mason). Copy: Each Supervisor (6)

From Office of the Controller, responding to inquiry regarding steps that the Airport has taken to prevent lawsuits for non-payment. File No. 090784, Copy: Rules Clerk (7)

From State Public Utilities Commission, submitting notice that PG&E has filed an application to allow the utilities to recover uninsured costs associated with wildfires. (8)

From Arthur Evans, submitting support for Police Chief George Gascon. 2 letters (9)

From Ahimsa Porter Sumchai, urging Supervisor Chiu to sponsor a resolution opposing SB792. (10)

From Anthony Belway, submitting letter entitled Sunday bikes in Golden Gate Park. (11)

From Office of the Controller, submitting the results of the City's recent annual rating agency meetings with Standard and Poor's, Moody's and Fitch Ratings. Copy: Each Supervisor, Budget Clerk (12)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to the commercial take of White Seabass. (13)

From Jessica Lindsey, commenting on how long it took her to get onto the Bay Bridge on Wednesday, September 9, 2009. (14)

From Francisco Da Costa, submitting letter entitled U.S. Navy complicit with nefarious activities joins dubious entities to adversely impact all San Francisco and beyond. (15)

From Aaron Goodman, regarding proposed legislation that sets San Francisco's property tax rate and establishes a pass-through rate for residential tenants. File No. 090985, Copy: Each Supervisor (16)

From Ivan Pratt, submitting letter regarding the EPA's inspection and enforcement of organizations, industry, and individuals that are polluting our drinking water in the United States. (17)

From Francisco Da Costa, submitting letter entitled Candlestick Recreation Area in San Francisco not for sale. (18)

From Francisco Da Costa, submitting letter entitled Mark Leno lies while innocent children die. (19)

From Francisco Da Costa, submitting letter entitled Shame of San Francisco Labor Council and one Tim Paulson. (20)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to hybrid animals and plants. (21)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

Notice of Canceled Meeting
Board of Supervisors
September 29, 2009 at 2:00 p.m.

63
9/29/09
canceled

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the San Francisco Board of Supervisors for September 29, 2009 has been canceled.

The next regular meeting will be held on Tuesday, October 6, 2009 at 2:00 p.m., in the Legislative Chamber, Second Floor, 1 Dr. Carlton B. Goodlett Place, Room 250, San Francisco.

Angela Calvillo
Clerk of the Board

GOVERNMENT
DOCUMENTS DEPT

SEP 25 2009

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

OCT - 2 2009

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 6, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

1. 091007 **[Airport Concession Lease]**
Resolution approving the Terminal 3 Concourse Specialty Store Lease to Air Sun, a joint venture between Sunglass Hut Trading, LLC and Corliss Stone-Littles, LLC, and the City and County of San Francisco, acting by and through its' Airport Commission.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Elsbernd

2. 090909 **[Citizen's Committee on Community Development]**
Mayor, Supervisors Daly, Avalos, Mirkarimi, Mar
Ordinance amending the San Francisco Administrative Code by adding Section 2A.290 to establish the Citizen's Committee on Community Development, an advisory body jointly appointed by the Mayor and the Board of Supervisors, that is responsible for making policy recommendations and providing for citizen participation regarding community development strategy in the City, and making annual funding recommendations for the Federal Housing and Urban Development Community Development Block Grant and Emergency Shelter Grant programs.

9/22/2009, PASSED, ON FIRST READING. Supervisor Mar requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly

3. 090955 **[Settlement of Administrative Enforcement Action - $115,000]**
Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $115,000.

Question: Shall this Resolution be ADOPTED?

4. 091005 **[Settlement of Unlitigated Claim - Rajitha Sangha - $30,000]**
Resolution approving the settlement of the unlitigated claim of Rajitha Sangha against the City and County of San Francisco for $30,000; claim was filed on July 7, 2008.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

5. 091006 **[Settlement of Unlitigated Claim - Ferry Building Associates - $107,798.50]**
Resolution approving the settlement of the unlitigated claim filed by Ferry Building Associates against the City and County of San Francisco for $107,798.50; claim was filed on January 26, 2009.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

6. 091009 **[Settlement of Unlitigated Claim - Rose Dennis - $90,670.20]**
Resolution approving settlement of the unlitigated claim submitted by Rose Dennis against the City and County of San Francisco for $90,670.20; claim was submitted on April 2, 2009.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

7. 091048 **[Appointment, Sunshine Ordinance Task Force - Suzanne Manneh]**
Motion appointing Suzanne Manneh, term ending April 27, 2011, to the Sunshine Ordinance Task Force, residency requirement waived.

Question: Shall this Motion be APPROVED?

8. 091049 **[Appointments, Assessment Appeals Board No. 1 - Alec Lambie, Lawrence Lee, Hayes Miles and Scott Spertzel]**
Motion appointing Alec Lambie, Lawrence Lee, Hayes Miles and Scott Spertzel, terms ending September 7, 2012, to the Assessment Appeals Board No. 1.

Question: Shall this Motion be APPROVED?

Present: Supervisors Campos, Daly, Alioto-Pier

9. 091050 **[Appointments, Assessment Appeals Board No. 2 - Louisa Mendoza, John McGary, Donna Crowder and Arthur Tom]**
Motion appointing Louisa Mendoza, John McGary, Donna Crowder and Arthur Tom, terms ending September 7, 2012, to the Assessment Appeals Board No. 2.

Question: Shall this Motion be APPROVED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

10. 090938 **[San Francisco Special Tax Financing Law]**
Supervisors Mar, Mirkarimi
Ordinance amending the San Francisco Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize water conservation and water pollution control equipment and improvements as facilities eligible for funding through the formation of special tax districts, the imposition of special taxes, and the issuance of bonds secured by special tax funds and related technical amendments.

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 090992 [Recreation and Park - Farmers' Market Fees - $475 per market location for six months]
Supervisor Mirkarimi
Ordinance amending the San Francisco Park Code Section 7.21 to establish farmers' market fees at $475 per market location for six months of operation.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 090908 [Approving Advanced Train Control System Improvement Services and Equipment Purchases]
Supervisor Dufty
Resolution approving Municipal Transportation Agency Contract No. 1226, Advanced Train Control System Improvement Services and Equipment Purchases, with Thales Transport & Security, Inc., for an amount not to exceed $30,000,000 for a term not to exceed five years with an option to extend the term an additional three years.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

13. 090939 [Adoption of Local Goals and Policies for Mello-Roos Community Facilities Districts]
Supervisors Mar, Mirkarimi
Resolution adopting local goals and policies for Mello-Roos Community Facilities Districts.

Question: Shall this Resolution be ADOPTED?

14. 091055 [Adopting findings related to San Francisco Public Utilities Commission Water System Improvement Program (WSIP) Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project]
Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of mitigation monitoring and reporting program related to the funding of the Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.
(Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

15. 091114 [Hunters Point Shipyard Cooperative Agreement for Fire and Medical Services]
Mayor, Supervisor Maxwell
Resolution authorizing the San Francisco Fire Department to enter a five-year Cooperative Agreement with the United States Navy to provide fire and emergency medical services to portions of the Hunters Point Shipyard remaining under federal ownership, and to accept and expend funds provided to the Fire Department by the Navy as reimbursement for services provided under that agreement.

Question: Shall this Resolution be ADOPTED?

16. 091120 [2008 Community Needs Assessment and 2010-2013 Children's Services Allocation Plan]
Mayor
Resolution approving the Children's Services Allocation Plan for the Children's Fund in accordance with Section 16.108 of the San Francisco Charter.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Mar, Chiu

17. 090477 **[Amending Planning Code - South of Market (SOMA) Community Stabilization Fund]**
Supervisor Daly
Ordinance amending Section 318.2 and 318.7 of the San Francisco Planning Code to clarify certain provisions relating to the South of Market (SOMA) Stabilization Fund to clarify that the Mayor's Office of Community Investment, the successor to the Mayor's Office of Community Development, will manage and expend the Fund; and amending Section 318.3 to clarify that the SOMA Stabilization fee is due before issuance of the final certificate of occupancy or within a time certain after the issuance of a first certificate of occupancy, whichever is sooner; and making certain findings including findings under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 090791 **[Changing the official sidewalk width - 20th, Minnesota, and Indiana Streets]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1584 to change the official sidewalk width on the north side of 20th Street between Minnesota and Indiana Streets, southwest corner of 20th and Minnesota Streets, and southeast corner of 20th and Indiana Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 090963 **[Interim Zoning Controls requiring conditional use authorization for Tobacco Paraphernalia Establishments, as defined, in the Polk Street Neighborhood Commercial District]**
Supervisor Chiu
Resolution imposing interim zoning controls establishing a requirement for conditional use authorization for Tobacco Paraphernalia Establishments, as defined, and subject to specified exceptions, in the Polk Street Neighborhood Commercial District, for a one year period, and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Alioto-Pier

20. **091031** **[Police Department Command Staff]**

Supervisors Campos, Alioto-Pier, Avalos, Chiu, Daly, Mar, Maxwell, Mirkarimi

Ordinance amending the San Francisco Administrative Code to authorize the Chief of Police to appoint to any non-civil service rank above the rank of Captain (a) any member of the Police Department who has had supervisory experience over other sworn law enforcement officers; and (b) for a period of five years from the effective date of this ordinance, any sworn law enforcement officer with such supervisory experience from any local, state or federal agency that employs sworn law enforcement officers, provided that only one such officer may hold an appointment at any one time.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

21. **090877** **[Confirming the Mayor's reappointment of Kimberly K. Brandon to the San Francisco Port Commission]**

Mayor

Motion confirming the Mayor's reappointment of Kimberly K. Brandon to the San Francisco Port Commission for a four-year term ending May 1, 2013.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Pursuant to Health and Safety Code Section 33433 (Approval by the Legislative Body after Public Hearing) requires the Board to sit as a Committee of the Whole prior to taking action on this matter.

22. 091135 **[Committee of the Whole - Acquisition of Muni Fillmore Substation at 1190 Fillmore Street]**
Supervisor Mirkarimi
Hearing of persons interested in or objecting to proposed Resolution approving the acquisition of real property with improvements located at 1190 Fillmore Street (at Turk Street), together with a Certificate for 171,308 units of Transferable Development Rights and $135,225 in predevelopment planning funds from the San Francisco Redevelopment Agency for the rehabilitation of the Muni Substation, at no cost to the City.

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

23. 090993 **[Acquisition of Muni Fillmore Substation at 1190 Fillmore Street]**
Supervisor Mirkarimi
Resolution approving the acquisition of real property with improvements located at 1190 Fillmore Street (at Turk Street), together with a Certificate for 171,308 units of Transferable Development Rights and $135,225 in predevelopment planning funds from the San Francisco Redevelopment Agency for the rehabilitation of the Muni Substation, at no cost to the City.

9/22/2009, CONTINUED. Continued to October 6, 2009.
Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4 pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4 pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4 pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4 pm.*

24. **091082** **[Public Hearing - Appeal of Final Mitigated Negative Declaration - 1390 Market Street]**
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17892, adopted May 28, 2009, Case No. 2005.0979E, approving a Final Mitigated Negative Declaration for the proposed development project located at 1390 Market Street (Assessor's Block No. 0813, Lot No. 006). The proposal would demolish an existing two-story retail and office building and construct a new 120-foot-tall, 11-story building containing up to 250 dwelling units and approximately 19,880 gross square feet of ground-floor retail use. There would be no change to an existing mixed-use tower on the site, and no new parking would be provided (18 existing spaces would be removed); parking for the new residential units would be within an existing two-level basement. (Appellant: Sue C. Hestor on behalf of San Franciscans for Reasonable Growth)
(Filed 9/3/09; Companion Measure to Files 091083, 091084, 091085; District 6.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

25. 091083 **[Affirming adoption of the final mitigated negative declaration for 1390 Market Street]**
Motion affirming Planning Commission adoption of the final mitigated negative declaration for 1390 Market Street.

Question: Shall this Motion be APPROVED?

26. 091084 **[Reversing adoption of the final mitigated negative declaration for 1390 Market Street]**
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 1390 Market Street.

Question: Shall this Motion be APPROVED?

27. 091085 **[Preparation of findings to reverse adoption of the final mitigated negative declaration for 1390 Market Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 1390 Market Street.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Public Safety Committee at a Regular Meeting on Monday, October 5, 2009. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 6, 2009.

28. 091053 **[Approval of the cost extension application for HIV prevention projects]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health to submit a two-year application for calendar years 2010 and 2011, to continue to receive funding for the "HIV Prevention Projects" grant from the Centers for Disease Control and Prevention, in the total amount of approximately $16,000,000 in HIV prevention funding for San Francisco; from January 1, 2010, through December 31, 2011.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

29. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

30. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 31 through 40

31. 091143 [Welcoming the Presidents Cup to San Francisco]
Supervisor Elsbernd
Resolution welcoming The Presidents Cup to Harding Park Golf Course.

9/22/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 091144 [Commending Bart Duncan for all of his work with the City and County of San Francisco]
Supervisor Dufty
Resolution commending Bart Duncan for his more than 8 years of service to the City and County of San Francisco and for his leadership as the Director of Health Services.

9/22/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 091145 [Amending meeting requirements for the Children's Collaborative Task Force]
Supervisor Alioto-Pier
Resolution amending Resolution 358-07, to allow the Children's Collaborative Task Force to begin meeting prior to the appointment of all its members.

9/22/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 091153 **[Bay Area Youth Sports Foundation Day in San Francisco]**

Supervisor Alioto-Pier

Resolution declaring Thursday, October 8, 2009, Bay Area Youth Sports Foundation Day in San Francisco.

9/29/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

35. 091146 **[Final Map - 2242-2256 15th Street]**

Motion approving Final Map 4773, a merger and resubdivision, Parcel "B" being a six unit residential condominium project, located at 2242-2256 15th Street being a subdivision of Lot Nos. 103 and 104 in Assessors Block No. 3540 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 178,244; District 8.)

9/22/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

36. 091147 **[Final Map - 2189 Bay Shore Boulevard]**

Motion approving Final Map 5584, a five residential unit and two commercial unit mixed-use condominium project, located at 2189 Bay Shore Boulevard being a subdivision of Lot No. 021 in Assessors Block No. 5066B and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 178,327; District 10.)

9/22/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

37. 091148 **[Final Map - One Hawthorne Street]**

Motion approving Final Map 5278, a 165 residential unit and one commercial unit mixed-use condominium project, located at One Hawthorne Street being a subdivision of Lot No. 047 in Assessors Block No. 3735 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW Order 178,330; District 6.)

9/22/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

38. 091149 [Final Map - 7 Vandewater Street, 418-420 Francisco Street]

Motion approving Final Map 5590, a ten unit residential and one unit commercial mixed-Use condominium project, located at 7 Vandewater Street and 418–420 Francisco Street being a subdivision of Lot No. 103 in Assessors Block No. 0041 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 178,332; District 3.)

9/22/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

39. 091150 [Final Map - 723 Taylor Street]

Motion approving Final Map 4868, a twelve unit residential condominium project, located at 723 Taylor Street being a subdivision of Lot 004 in Assessors Block No. 0282 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 178,333; District 3.)

9/22/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

40. 091154 [Final Map - 860 Waller Street]

Motion approving Final Map 5147, a five unit residential condominium project, located at 860 Waller Street being a subdivision of Lot No. 013 in Assessors Block No. 1240 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)
(DPW Order 178,346; District 5.)

9/29/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 15, 2009, to September 28, 2009, for reference by President to appropriate committee on October 6, 2009.

091075 **[Settlement of Lawsuit - Bernard and Mildred Bolton - $650,000]**
Ordinance authorizing settlement of the lawsuit filed by Bernard and Mildred Bolton against the City and County of San Francisco for $650,000; the lawsuit was filed on October 15, 2008, in San Francisco Superior Court, Case No. 480-896; entitled Bernard and Mildred Bolton, et al., v. City and County of San Francisco, et al.
(City Attorney)

9/17/2009, RECEIVED AND ASSIGNED to Rules Committee.

091076 **[Settlement of Lawsuit - Segundo Malvar Tiongco, Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco - $1,750,000]**
Ordinance authorizing settlement of the lawsuit filed by Segundo Malvar Tiongco, Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco against the City and County of San Francisco for $1,750,000; the lawsuit was filed on January 16, 2009, in San Francisco Superior Court, Case No. 484-171; entitled Segundo Malvar Tiongco, Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco, et al. v. City and County of San Francisco, et al.
(City Attorney)

9/17/2009, RECEIVED AND ASSIGNED to Rules Committee.

091080 **[Settlement of Lawsuit - Duncan Briggs - $65,000]**
Ordinance authorizing settlement of the lawsuit filed by Duncan Briggs against the City and County of San Francisco for $65,000; the lawsuit was filed on August 19, 2008, in San Francisco Superior Court, Case No. 478-836; entitled Duncan Briggs, et al. v. City and County of San Francisco, et al.
(City Attorney)

9/22/2009, RECEIVED AND ASSIGNED to Rules Committee.

091086 **[Settlement of Lawsuit - Jeanne Schoenstein - $225,000.00]**
Ordinance authorizing settlement of the lawsuit filed by Jeanne Schoenstein against the City and County of San Francisco and Marcelo Samame for $225,000.00, inclusive of attorneys' fees and costs; the lawsuit was filed on July 14, 2008, in San Francisco Superior Court, Case No. CGC-08-477472; entitled Schoenstein, et al., v. City and County of San Francisco, et al.
(City Attorney)

9/22/2009, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 15, 2009, to September 28, 2009, for reference by President to appropriate committee on October 6, 2009.

091124 **[Amendment to Treasure Island Land and Structures Master Lease]**
Resolution approving the Thirty Third Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

9/18/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091125 **[Amendment to Treasure Island South Waterfront Master Lease]**
Resolution approving the Twenty Fifth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

9/18/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091126 **[Amendment to Treasure Island Marina Master Lease]**
Resolution approving the Thirteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

9/18/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091127 **[Amendment to Event Venues Master Lease]**
Resolution approving the Twenty First Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

9/18/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091151 **[Petitions and Communications]**

Petitions and Communications received from September 15, 2009, through September 28, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 6, 2009.

From Willie Kennedy, submitting letter supporting the re-appointment of Ms. Kim Brandon to the Port Commission File 090877 (1)

From Aaron Goodman, submitting letter regarding the September 10, 2009, Planning Commission meeting. (2)

From Department of Public Health, regarding the impact of the enrollment freeze in the Healthy Families Program on San Francisco's children and youth. (Reference No. 20090721-007) (3)

From Budget Analyst, regarding status of the Marina Yacht Harbor Fund Audit. (Reference No. 20090728-001) (4)

From Office of the Controller, submitting supplemental appropriation de-appropriating $510,006 of the General Fund restorations to the Department of Children, Youth and Their Families to restore reductions to Grants for the Arts in the General Services Agency, City Administrator for FY 2009-2010. (Reference No. 20090721-001) (5)

From Clerk of the Board, submitting Form 700 Statement of Economic Interest for Victor Lim, assuming office, Legislative Aide to Supervisor Chiu. (6)

From Capital Planning Committee, submitting recommendations for the following resolutions: adopting Local Goals and Policies for Mello-Roos Districts; (2) accepting and expending American Recovery and Reinvestment Act of 2009 Energy Efficiency Conservation and Block Grant Funds; and (3) accepting and expending American Recovery and Reinvestment Act grant funds for Runway Overlay and Reconstruction. Copy: Each Supervisor, Budget and Finance Clerk (7)

From Office of the Controller, regarding the audit review for the Office of Citizens Complaints. Copy: Each Supervisor (8)

From Dr. Ahimsa Sunchai, regarding the State law that requires all fitness and recreation centers to maintain an automatic defibrillator. (9)

From Arts Commission, responding to inquiry on the possibility of providing a long-term or permanent display of the statue of Thomas Starr King in City Hall. (Reference No. 20090609-003) (10)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under the Treasurer's management. (11)

From Denise D'Anne, regarding Para Transit and our air quality in San Francisco. (12)

From Office of the Controller, submitting their monthly overtime report listing the five City departments using the most overtime in the preceding month. Copy: Each Supervisor, Budget and Finance Clerk (13)

From Office of the Sheriff, submitting letter advising the Board of Supervisors that the daily prisoner population in the county jails has increased almost seven percent in less than a month and over twelve percent since the beginning of the fiscal year. (14)

From Office of the Controller, submitting memo updating the August 4, 2009, preliminary report on the estimated City General Fund impact from adoption of the State budget, in compliance with Section 9.3 of the FY 2009-2010 Annual Appropriation Ordinance. Copy: Each Supervisor (15)

From Department of Public Health, regarding the impact of the enrollment freeze in the Healthy Families Program on San Francisco's children and youth. (Reference No. 20090721-007) Copy: Supervisor Alito-Pier (16)

From Aaron Goodman, urging the Board of Supervisors to address the inconsistencies in the proposed St. Francis Circle changes, so adequate overall improvements in the M-Line and K-Line trains are implemented so that speed, safety, and reliability do not impact negatively the numerous people whom rely on these transit systems daily. Copy: Each Supervisor (17)

From Roger Rublick, regarding ways to keep Muni safe. (18)

From Patrick Monette-Shaw, submitting opposition to proposal to cut SNF beds until the number of SNF bed cuts at Laguna Honda is revealed. (19)

From Department of the Environment, regarding the Green Purchasing Program in San Francisco. (20)

From Ahimsa Porter Sumchai, regarding the proposed tax on carbonated beverages in San Francisco. (21)

From Francisco Da Costa, regarding endorsing the Precautionary Principle. (22)

From concerned citizens, submitting support for restoring Sharp Park to a natural area. 2 letters (23)

From concerned citizens, submitting support for preserving the historic 18-hole Sharp Park Golf Course. 5 letters (24)

From Office of the Mayor, submitting appointment of JD Beltran as a member of the Arts Commission, term ending January 15, 2012. Copy: Each Supervisor (25)

From Abdullah Megahed, submitting copy of letter sent to Mayor Newsom regarding business practices at 990 Polk Street. (26)

From Planning Department, submitting notice of a public hearing on October 15, 2009, regarding California Pacific Medical Center. Copy: Each Supervisor (27)

From Municipal Transportation Agency, submitting an update of Municipal Transportation Agency American Recovery and Reinvestment Act Projects. Copy: Each Supervisor (28)

From Thomas Cole, regarding animal welfare in the Bay Area. (27)

From Bill Quan, submitting opposition to proposed legislation that would prohibit owner move-in evictions of households with a child under the age of 18. File No. 090835 (28)

From Residential Rent Stabilization and Arbitration Board, submitting the department's annual statistical report. Copy: Each Supervisor (29)

From State Public Utilities Commission, submitting notice that PG&E has filed an application to recover costs involved with 2011 gas transmission and storage. (30)

From US Army Corps of Engineers, submitting public notice that the US Army Corps of Engineers has re-issued the Army Regional General Permit to authorize fill and dredging activities and work associated with the repair and protection of structures and property, threatened with damage during emergency conditions. (31)

From concerned citizens, submitting opposition to the moving $80 million dollars from the public safety budget into other services. (32)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to "Sport Fishing Regulations" in California. (33)

From T-Mobile, submitting notification letters regarding placement of cellular site antennas at the following sites: (34)
3097 Turk Street
1502 Noe Street
4400 Pacheco Street
3634-23rd Street
927 Sanchez Street
190-23rd Street
357 Athens
1298 Funston Avenue
1651 Church Street
1594 La Playa Street
2301 Lincoln Way
2379-32nd Avenue
2256 Cabrillo Street
2001 Noriega Street
1290 Clayton Street
2595 Harrison Street
1486-40th Avenue
500 Grove Street
590-4th Avenue
396 Arleta Avenue
735-7th Avenue
1400 La Playa Street
1288-11th Avenue
2209-48th Avenue
2601-46th Avenue
1801-18th Avenue
310 Congo Street

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice Transmitted: 10-8-09

A public hearing will be held on 10/20/09 at 4:00 p.m., or as soon as possible after this time, at Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subject. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Comments may be mailed to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Documents relating to this matter are also available for inspection at the address above.

File No. 091088 (Public Hearing – Appeal of Determination of Exemption from Environmental Review – 430 Main Street/429 Beale Street)

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 23, 2009, Case No. 2007.1121E, that a project at 430 Main Street/429 Beale Street is exempt from environmental review per Section 15183 of the California Environmental Quality Act Guidelines and California Public Resources Code Section 21083.3. The proposal would demolish two existing one- and two-story concrete buildings on two adjacent parcels and construct an eight-story, approximately 146,000-square foot residential building on the site following merger of the two lots. The new building would include approximately 113 residential units and one subterranean parking level accommodating approximately 57 vehicles within the Rincon Hill Area Plan, a RH DTR (Rincon Hill Downtown Residential Mixed Use)/84-X Height and Bulk District, in Assessor's Block No. 3767, Lot Nos. 305 and 306. (Appellant: Dane Ince on behalf of the Opposition Team to 430 Main Street)

Angela Calvillo, Clerk of the Board

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

GOVERNMENT
DOCUMENTS DEPT

OCT - 8 2009

SAN FRANCISCO
PUBLIC LIBRARY

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

OCT 16 2009

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 20, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT

MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the 5, 6, 7, 9, 21, 47, 49, 71, 71L, F, J, K, L, M, N, T (exit at Van Ness Station). For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the September 15, 2009, and September 22, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

1. 090992 **[Recreation and Park - Farmers' Market Fees - $475 per market location for six months]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Park Code Section 7.21 to establish farmers' market fees at $475 per market location for six months of operation.

10/6/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. 091067 [Approve a Lease with the United States of America at the International Terminal of San Francisco International Airport]

Resolution approving and authorizing the execution of Lease No. GS-09B-01967 with the United States of America for terminal space to be occupied by the U.S. Federal Bureau of Investigation, a Federal agency, in the International Terminal of San Francisco International Airport.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

3. 091142 [Authorizing local support for the Bridge Preventive Maintenance Program]
Mayor

Resolution authorizing local support for the Department of Public Works Bridge Preventive Maintenance Program and authorizing the Director of Public Works, or designee, to execute all documents pertaining to the project with Caltrans.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

4. 090477 [Amending Planning Code - South of Market (SOMA) Community Stabilization Fund]
Supervisor Daly

Ordinance amending Section 318.2 and 318.7 of the San Francisco Planning Code to clarify certain provisions relating to the South of Market (SOMA) Stabilization Fund to clarify that the Mayor's Office of Community Investment, the successor to the Mayor's Office of Community Development, will manage and expend the Fund; and amending Section 318.3 to clarify that the SOMA Stabilization fee is due before issuance of the final certificate of occupancy or within a time certain after the issuance of a first certificate of occupancy, whichever is sooner; and making certain findings including findings under the California Environmental Quality Act.

10/6/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 090791 [Changing the official sidewalk width - 20th, Minnesota, and Indiana Streets]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1584 to change the official sidewalk width on the north side of 20th Street between Minnesota and Indiana Streets, southwest corner of 20th and Minnesota Streets, and southeast corner of 20th and Indiana Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

10/6/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chu, Mirkarimi, Alioto-Pier

6. 091031 **[Police Department Command Staff]**
Supervisors Campos, Alioto-Pier, Avalos, Chu, Daly, Mar, Maxwell, Mirkarimi
Ordinance amending the San Francisco Administrative Code to authorize the Chief of Police to appoint to any non-civil service rank above the rank of Captain (a) any member of the Police Department who has had supervisory experience over other sworn law enforcement officers; and (b) for a period of five years from the effective date of this ordinance, any sworn law enforcement officer with such supervisory experience from any local, state or federal agency that employs sworn law enforcement officers, provided that only one such officer may hold an appointment at any one time.

10/6/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

7. 090938 **[San Francisco Special Tax Financing Law]**
Supervisors Mar, Mirkarimi, Campos
Ordinance to amend the San Francisco Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize water conservation and water pollution control equipment and improvements as facilities eligible for funding through the formation of special tax districts, the imposition of special taxes, and the issuance of bonds secured by special tax funds and related technical amendments.

10/6/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisor Campos requested to be added as a co-sponsor.
10/6/2009, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

8. 091138 [Public Employment - Department of Human Resources]
Supervisor Chiu
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010) to reflect the addition of four (2.32 FTE) Class 1064 IS Programmer Analyst – Principal and four (2.32 FTE) Class 1054 IS Business Analyst – Principal and two (1.16 FTE) Class 1043 IS Engineer – Senior in the Department of Human Resources (DHR).
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 091168 [Appropriating $150,000 of General Fund Reserve to General City Responsibility for Emergency Aid Relief in the Philippines, Samoa and Indonesia]
Supervisor Daly
Ordinance appropriating $150,000 from the General Fund Reserve to General City Responsibility for emergency aid relief for the people of the Philippines, Samoa and Indonesia related to recent natural disasters for FY 2009-2010, and placing the total appropriation of $150,000 on Budget and Finance Committee reserve pending submittal of a detailed expenditure plan.
(Supervisor Chu dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 091141 [Appropriating $1,043,160 of Hotel Room Tax Revenue to restore reductions to Convention Facilities in the General Services Agency, City Administrator for FY 2009-2010]
Supervisors Mirkarimi, Avalos
Ordinance appropriating $1,043,160 of Hotel Tax Revenue from the General Fund to restore reductions to the Convention Facilities Fund in the General Services Agency, City Administrator's Office for FY 2009-2010 and amending Administrative Provision Section 12.11 of the FY 2009-2010 Annual Appropriation Ordinance to reflect the change in Hotel Tax Allocation.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 091012 [Board review and approval of 2009 U.S. Department of Housing and Urban Development Continuum of Care Programs Application]
Supervisor Chiu
Resolution approving the City and County of San Francisco 2009 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Programs and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more.

Question: Shall this Resolution be ADOPTED?

12. 091054 **[Approval of Department of Building Inspection contracts to provide plan review and field inspection services]**

Resolution approving a Department of Building Inspection interagency agreement to provide plan review and field inspection services to the Transbay Joint Powers Authority, as required by Charter Section 9.118(a).

(Building Inspection Department)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

13. 091109 **[American Recovery and Reinvestment Act of 2009 Project - Award of Contract for LRV Systems Overhaul - NTE $56,752,554]**

Supervisor Chiu

Resolution authorizing the San Francisco Municipal Transportation Agency to enter into Contract No. APT 591-01, LRV Doors and Steps Reconditioning and Systems Overhaul, with AnsaldoBreda Inc., in an amount not to exceed $56,752,554 and a term not to exceed five years.

Question: Shall this Resolution be ADOPTED?

14. 091110 **[American Recovery and Reinvestment Act of 2009 Project - Award of Contract for Motor Coach Rehabilitation - NTE $12,598,315]**

Supervisor Chiu

Resolution authorizing the San Francisco Municipal Transportation Agency to enter into Contract No. APT 106-01, Motor Coach: Component Life Cycle Rehabilitation Project, with Complete Coach Works, in an amount not to exceed $12,598,315 and a term not to exceed four years.

Question: Shall this Resolution be ADOPTED?

15. 091139 **[Department of Human Resources - Amendment to CIBER, Inc. Contract - reduced to $4,995,120]**

Supervisor Chiu

Resolution approving, retroactively, an amendment to the CIBER, Inc. contract to reduce the contract amount to $4,995,120.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Avalos, Campos

16. 091056 **[Approve San Francisco Public Utilities Commission Peninsula Region Construction Management Contract - NTE $22,000,000]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-916, Peninsula Region Construction Management Services, with HDR Engineering, Inc., for an amount not to exceed $22,000,000 with a term of up to 55 months, pursuant to San Francisco Charter Section 9.118.

(Public Utilities Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

17. 091057 **[Emergency contract to replace main sewer on California Street from Cherry Street to Arguello Boulevard]**

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace the main sewer on California Street from Cherry Street to Arguello Boulevard.
(Public Utilities Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

18. 091058 **[Emergency contract to replace sewers on Lexington Street from 20th Street to 21st Street and on San Carlos Street from 18th Street to Sycamore Street]**

Resolution approving an emergency public work contract under San Francisco Administrative Code Section 6.60 to replace sewers on Lexington Street from 20th to 21st Street and on San Carlos Street from 18th Street to Sycamore Street.
(Public Utilities Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Avalos, Campos

19. 091068 **[Approve amendments to four SFPUC professional engineering services agreements in excess of $10,000,000 each]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute amendments to increase four professional engineering services agreements for Water System Improvement Program (WSIP) funded projects with total revised agreement amounts in excess of $10,000,000 each, pursuant to Charter Section 9.118.
(Public Utilities Commission)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

20. 090981 **[Street Encroachment at 1230-1240 Twin Peaks Boulevard]**

Resolution granting revocable permission to Michael Chung to occupy, excavate and regrade an existing unimproved portion of the public right-of-way to construct and maintain private concrete driveways with retaining walls, walkways and steps with accommodations for drainage and new landscaping to provide pedestrian and vehicular access to two (2) new single family dwellings at 1230-1240 Twin Peaks Boulevard (Block 2821, Lots 022 & 021), conditioned upon the payment of an annual assessment fee, and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Public Safety Committee

Present Supervisors Chiu, Mirkarimi, Alioto-Pier

21. 091032 **[Confidentiality of juveniles' immigration status]**

Supervisors Campos, Avalos, Chiu, Dufty, Mar, Maxwell, Mirkarimi, Daly

Ordinance amending the San Francisco Administrative Code by amending Sections 12H.2, 12H.2-1, and 12H.3 to allow City law enforcement officers and employees to report information regarding the immigration status of a juvenile to any state or federal agency when the juvenile has been adjudicated to be a ward of the court on the ground of felony conduct, the court makes a finding of probable cause after the District Attorney directly files felony criminal charges against the minor, or the juvenile court determines that the minor is unfit to be tried in juvenile court and the superior court makes a finding of probable cause; and to update references to the federal agency responsible for enforcing federal immigration laws.

(Supervisor Alioto-Pier dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4 pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4 pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4 pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4 pm.*

22. **091088** **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 430 Main Street/429 Beale Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 23, 2009, Case No. 2007.1121E, that a project at 430 Main Street/429 Beale Street is exempt from environmental review per Section 15183 of the California Environmental Quality Act Guidelines and California Public Resources Code Section 21083.3. The proposal would demolish two existing one- and two-story concrete buildings on two adjacent parcels and construct an eight-story, approximately 146,000-square foot residential building on the site following merger of the two lots. The new building would include approximately 113 residential units and one subterranean parking level accommodating approximately 57 vehicles within the Rincon Hill Area Plan, a RH DTR (Rincon Hill Downtown Residential Mixed Use)/84-X Height and Bulk District, in Assessor's Block No. 3767, Lot Nos. 305 and 306. (Appellant: Dane Ince on behalf of the Opposition Team to 430 Main Street)

(Filed 9/8/09; Companion Measure to 091089, 091090, 091091; District 6.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

23. 091089 **[Affirming the exemption determination issued for the 430 Main Street/429 Beale Street project]**
Motion affirming the exemption determination by the Planning Department that the 430 Main Street/429 Beale Street project is exempt from environmental review.

Question: Shall this Motion be APPROVED?

24. 091090 **[Reversing the exemption determination issued for the 430 Main Street/429 Beale Street project]**
Motion reversing the exemption determination by the Planning Department that the 430 Main Street/429 Beale Street project is exempt from environmental review.

Question: Shall this Motion be APPROVED?

25. 091091 **[Preparation of findings related to the exemption determination for the 430 Main Street/429 Beale Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project at 430 Main Street/429 Beale Street is exempt from environmental review.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Thursday, October 15, 2009. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 20, 2009.

26. 091008 **[Settlement of Grievance - Elina Sulimov - $130,000]**
Ordinance authorizing settlement of the lawsuit filed by Elina Sulimov against the City and County of San Francisco for $130,000; the lawsuit was filed on December 26, 2008, Case No. 478007; entitled Elina Sulimov, v. City and County of San Francisco.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 091037 [Settlement of Lawsuit and Disputes and Agreement to Close the Potrero Power Plant - $1,100,000]

Supervisors Maxwell, Chiu, Alioto-Pier

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Mirant Potrero L.L.C. on April 27, 2009, in San Francisco Superior Court, Case No, CGC 09-487-795; entitled City and County of San Francisco, et al., v. Mirant Potrero L.L.C., which settlement provides for, among other things, permanent closure of the entire Potrero Power Plant when it is no longer needed for electric reliability, payment by Mirant of $1,100,000 to the City, the City's agreement to stay enforcement of the UMB Ordinance for the unoccupied unreinforced masonry buildings located at the Potrero Power Plant site pending a new site reuse plan so long as Mirant maintains the buildings in a safe manner, Mirant's agreement to restrict future uses of the site to prohibit fossil fuel generation after the Plant is shut down, and the City's agreement to priority processing of a future application for entitlements for a proposed site reuse plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 091070 [Settlement of Lawsuit - Pat Moore/Tom Moore - $120,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore/Tom Moore against the City and County of San Francisco for $120,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 091071 [Settlement of Lawsuit - James Cordova/Maria Morales - $35,000]

Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for $35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 091072 [Settlement of Lawsuit - Mehrdad Alemozaffar - $385,000]

Ordinance authorizing settlement of the lawsuit filed by Mehrdad Alemozaffar against the City and County of San Francisco for $385,000; the lawsuit was filed on July 20, 2007, in United States District Court, Northern District of California, Case No. C07-4494 JSW; entitled Mehrdad Alemozaffar, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 091140 **[Settlement of Lawsuit - Joseph Imbelloni; Imbelloni Construction Co., Inc.; and Bayside Vista LLC]**

Supervisor Maxwell

Ordinance authorizing settlement of the lawsuit filed by Joseph Imbelloni; Imbelloni Construction Co., Inc.; and Bayside Vista LLC, against the City and County of San Francisco for a Writ of Mandate against the City and County of San Francisco to cease and desist from requiring a residential housing development commonly known as Bayside Vista, 2011 Bayshore Boulevard from compliance with the Visitacion Valley Community Facilities and Infrastructure Fee and Fund; the lawsuit was filed on August 19, 2008, in San Francisco Superior Court, Case No. CGC-08-478842; entitled Joseph Imbelloni; Imbelloni Construction Co., Inc.; Bayside Vista LLC v. City and County of San Francisco; Department of Building Inspection; Jose Cisneros, Treasurer of the City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 091140.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 091073 **[Settlement of Unlitigated Claim - Patty Thomas - $52,250]**

Resolution approving the settlement of the unlitigated claim filed by Patty Thomas against San Francisco for $52,250; claim was filed on March 3, 2009.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Government Audit and Oversight/LAFCO Joint Committee at a Special Meeting on Friday, October 16, 2009. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 20, 2009.

33. 091161 **[Approving Issuance of a Request for Proposals for CleanPowerSF]**

Supervisor Mirkarimi

Ordinance approving issuance of a Request for Proposals for Community Choice Aggregation (CCA) Services for the San Francisco CCA program, commonly known as CleanPowerSF.

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 36 through 44

36. **091171** **[Accept and Expend State Grant - District Attorney - $100,000]**

Supervisor Chiu

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $100,000 through the California Department of Insurance, Life and Annuity Consumer Protection Fund, for a program entitled "Life and Annuity Consumer Protection" for FY 2009-2010.

10/6/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. **091173** **[Urging the United States federal government to end the U.S. military occupation of Afghanistan]**

Supervisors Avalos, Campos, Daly, Mar, Mirkarimi

Resolution urging the United States federal government to end the U.S. military occupation of Afghanistan while providing humanitarian aid to support the recovery of the country from the effects of war.

10/6/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 091174 **[Accept and Expend State Grants - Departrment of Public Health - $18,699.38]**

Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively three grants totaling $18,699.38, from the California Department of Food and Agriculture; for the periods of July 1, 2009, through June 30, 2010, and January 1, 2010, through December 31, 2010.

10/6/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

39. 091175 **[Issuance and Sale of Revenue Bonds - Crescent Manor - 467 Turk Street - NTE $11,000,000]**

Supervisor Daly

Resolution approving the issuance and sale of tax-exempt bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $11,000,000 for financing the acquisition, construction and rehabilitation of Crescent Manor - 467 Turk Street, subject to the requirements of Article IX of Chapter 43 of the Administrative Code.

10/6/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 091176 **[Accept and Expend Grant - Department of Public Health - $20,059]**

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $20,059 from the University of California San Francisco, to assist with a project entitled "Monitoring and Evaluation Framework for Improved Health Sustainability in the Philippines;" for the period of July 1, 2009 through November 15, 2009.

10/6/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 091177 **[Urging San Francisco businesses and community members to contribute to the relief efforts in Samoa, American Samoa, Indonesia and the Philippines to help the islands cope with the effects of the devastating earthquake, tsunami, storms and typhoons]**

Supervisor Dufty

Resolution urging San Francisco businesses and community members to contribute to the relief efforts in Samoa, American Samoa, Philippines and Indonesia to help the islands cope with the effects from the devastating earthquake, tsunami, storms and typhoons that have occurred over the past 10 days.

10/6/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 091180 [Declaring November 1 - 8, 2009, Community College Week]

Supervisors Mar, Avalos, Maxwell, Mirkarimi, Chiu

Resolution declaring November 1 – 8, 2009, Community College Week and urging the Governor to work together to come up with a budget for FY 2010-2011 that does not increase student fees and that uses a combination of new revenue generation, delayed payments, and other creative mechanisms in lieu of cuts to education.

10/6/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 091189 [Final Map - 736 Valencia Street]

Motion approving Final Map 5568, an Eight Unit Residential and One Unit Commercial Mixed-Use Condominium Project, located at 736 Valencia Street being a subdivision of Lot 005 in Assessors Block No. 3588 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 .

(Public Works Department)

(DPW Order No. 178,354; District 8.)

10/8/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

44. 091190 [Waiver permitting City employees to assist the Department of Elections with the November 3, 2009, special statewide election]

Supervisor Chiu

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 3, 2009, special statewide election.

10/14/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

45. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 29, 2009, to October 9, 2009, for reference by President to appropriate committee on October 20, 2009.

090678 **[Bayview Hunters Point Area Plan, Technical Zoning Map Amendments]**
Ordinance amending Zoning Map Sheets ZN08, ZN10, and SU10 of the City and County of San Francisco Planning Code with revised used districts within the Bayview Hunters Point Plan Area; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Planning Department)

9/30/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/5/2009.

090998 **[Settlement of Eminent Domain Lawsuit - Pacific Gas and Electric Company - $112,000]**
Ordinance authorizing settlement of the eminent domain lawsuit filed by Pacific Gas and Electric Company against the City and County of San Francisco et al., San Mateo Superior Court, Case No.449100; entitled Pacific Gas and Electric v. City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation contained in Board of Supervisors' File No. 090998.
(City Attorney)

10/5/2009, RECEIVED AND ASSIGNED to Rules Committee.

091186 **[Settlement of Lawsuit - Gavin Smith - $55,000]**
Ordinance authorizing settlement of the lawsuit filed by Gavin Smith against the City and County of San Francisco for $55,000; the lawsuit was filed on April 29, 2009, in San Francisco Superior Court, Case No. CGC-09-487887; entitled Gavin Smith v. City and County of San Francisco.
(City Attorney)

10/7/2009, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 29, 2009, to October 9, 2009, for reference by President to appropriate committee on October 20, 2009.

091185 **[Approval to award a three-year lease for surface parking between the Port of San Francisco and Priority Parking-CA, LLC (Lease No. L-14747)]**
Resolution approving a Port Commission Lease with Priority Parking-CA, a California Limited Liability Corporation in the City and County of San Francisco, for certain real property located at SWL 322-I bounded by Front Street and Broadway, SWL 323 bounded by The Embarcadero and Davis Street, SWL 321 bounded by Front Street and Green Street, and SWL 324 bounded by Davis Street, Front Street and The Embarcadero for a term of 3 years.
(Port)

10/6/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091187 **[Authorizing the Office of Contract Administration to amend its contract with Xtech to increase the contract amount to $40 million]**
Resolution authorizing the Office of Contract Administration to enter into the Second Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract amount from $12,475,000 to $40 million.
(Office of Contract Administration)

10/8/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091188 **[Authorizing the San Francisco Human Services Agency to apply for State funds available for fraud prevention and detection in the In-Home Supportive Services program]**
Resolution authorizing Human Services Agency to submit plan for State funding for In-Home Supportive Services fraud investigations and program integrity efforts pursuant to the California State Budget Act of 2009.
(Human Services Department)

10/9/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091184 **[Petitions and Communications]**

Petitions and Communications received from September 29, 2009, through October 9, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 20, 2009.

From Department of Public Health, submitting the annual report for the Deemed Approved Uses Ordinance that establishes performance standards for businesses that sell alcohol in off-sale venues. Copy: Each Supervisor. (1)

From ESA, regarding the Final Environmental Impact Report for the Harding Park Recycled Water Project. Copy: Supervisor Elsbernd. (2)

From Public Utilities Commission, submitting report regarding PG&E's compliance with the provisions of SF Administrative Code Section 11.44 and its franchise. (3)

From Office of the Budget Analyst, submitting the First Offender Prostitution Program management audit report. Copy: Public Safety Clerk. (4)

From Friends of the Urban Forest, submitting support for the expansion of Redwood Park to 555 Washington Street. (5)

From Eula Walters, regarding Ferry Park in San Francisco. (6)

From Julian Davis, submitting her resignation from the Market-Octavia Citizen's Advisory Committee. Copy: Each Supervisor, Rules Clerk. (7)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from 11:30 a.m. until 10:30 p.m. on October 3, 2009, Supervisor Elsbernd will serve as Acting-Mayor. October 9, 2009, from 7:00 a.m. to 10:00 p.m., Supervisor Chu will serve as Acting Mayor. October 12, 2009, until October 15, 2009, Supervisor Alioto-Pier will serve as Acting Mayor. Copy: Each Supervisor. (8)

From Ted Strawser, regarding the relationship between the Police Department and the skateboarders in San Francisco. (9)

From Redevelopment Agency, submitting report on certain sales subject to California Health and Safety Code Section 33433. Copy: Each Supervisor. (10)

From Office of the Assessor-Recorder, submitting the joint annual report of increases in property taxes resulting from biotechnology businesses location, relocation, or expansion to or within the City and County of San Francisco. Copy: Each Supervisor. (11)

From Office of the Controller, regarding the audit review for the Department of the Environment. Copy: Each Supervisor, GAO and Budget and Finance Clerks. (12)

From Office of the Sheriff, submitting the annual report for the inmate welfare fund expenditures for FY 2008-2009. Copy: Each Supervisor, Budget and Finance Clerk. (13)

From Recreation and Parks Department, submitting the 2008 Clean and Safe Neighborhood Parks Bond Accountability Report. (14)

From concerned citizens, commenting on proposed ordinance regarding juveniles' immigration status. File No. 091032, 5 letters (15)

From C. Lue, submitting support for proposed project at 555 Washington Street. (16)

From Jarie Bolander, submitting opposition to installing the "SFgo freeway-style" signs on Oak/Broderick and Fell/Divisadero Streets. (17)

From concerned citizens, regarding the proposed closure of the Presidio Gate Entrance. 2 letters (18)

From Lee Doolan, commenting on a news article on sfgate.com. (19)

From State Department of Conservation, submitting notice of regional training workshops to promote effective local government administration of the California Land Conservation (Williamson) Act Program. Copy: Each Supervisor (20)

From State Fish and Game Commission, submitting notice of proposed emergency regulatory action relating to incidental take of Pacific fisher. (21)

From Brian Lee, submitting opposition to the possible closure of Mason Street between Lombard Street and Columbus Avenue. (22)

From T-Mobile, submitting a notification letter regarding placement of 3 cellular site antennas near 590 Cambridge Street. (23)

From SF Labor Council, submitting resolution in support of the Cuban Five, their Rights to Fair Trial and Vistation Rights for their Families. Copy: Each Supervisor (24)

From concerned citizens, regarding Sharp Park Golf Course. 2 letters (25)

From SF Water Department, submitting the GoSolar 2008-2009 Status Report that provides an update on the first year of the successful solar energy incentive program. (26)

From Denise D'Anne, urging the City and County of San Francisco to take the lead on using less oil. (27)

From Oakland Police Department, thanking the Board of Supervisors for resolution honoring the public service of Oakland Police Department Officers on the occasion of their sacrifice in the line of duty. File No. 090359, Copy: Each Supervisor (28)

From Glenn Pedroni, commenting on various issues. (29)

From US Army Corps of Engineers, submitting public notice of maintenance dredging at the Port of San Francisco Piers 17/19. (30)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 200915-003) (31)

From Department of Public Works, regarding status of removing graffiti from utility poles at various locations in District 5. (Reference No. 200915-004) (32)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 200915-005) (33)

From Department of Public Works, regarding status of removing graffiti from various locations in District 5. (Reference No. 200915-006) (34)

From Jeff Miller, regarding the draft Environmental Impact Report for the proposed project to rebuild the seismically challenged Calaveras Dam in the upper Alameda Creek watershed. (35)

From James Corrigan, regarding firefighters from various fire stations shopping at the COSTCO warehouse store at 10th and Bryant Streets. (36)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

OCT 23 2009

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 27, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings. For information, call (415) 554-5184.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯: 必須在會議前最少四十八小時提出要求
請電: (415) 554-7719

Disability Access

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the 5, 6, 7, 9, 21, 47, 49, 71, 71L, F, J, K, L, M, N, T (exit at Van Ness Station). For more information about MUNI accessible services, call (415) 701-4485.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

1. 091141 **[Appropriating $1,043,160 of Hotel Room Tax Revenue to restore reductions to Convention Facilities in the General Services Agency, City Administrator for FY 2009-2010]**
Supervisors Mirkarimi, Avalos
Ordinance appropriating $1,043,160 of Hotel Tax Revenue from the General Fund to restore reductions to the Convention Facilities Fund in the General Services Agency, City Administrator's Office for FY 2009-2010 and amending Administrative Provision Section 12.11 of the FY 2009-2010 Annual Appropriation Ordinance to reflect the change in Hotel Tax Allocation.
(Fiscal Impact.)

10/20/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. 091124 **[Amendment to Treasure Island Land and Structures Master Lease]**
Resolution approving the Thirty Third Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

3. 091125 **[Amendment to Treasure Island South Waterfront Master Lease]**
Resolution approving the Twenty Fifth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

4. 091126 **[Amendment to Treasure Island Marina Master Lease]**
Resolution approving the Thirteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

5. 091127 **[Amendment to Event Venues Master Lease]**
Resolution approving the Twenty First Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term.
(Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

6. 091008 **[Settlement of Grievance - Elina Sulimov - $130,000]**
Ordinance authorizing settlement of the lawsuit filed by Elina Sulimov against the City and County of San Francisco for $130,000; the lawsuit was filed on December 26, 2008, Case No. 478007; entitled Elina Sulimov, v. City and County of San Francisco.
(City Attorney)

10/20/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 091037 **[Settlement of Lawsuit and Disputes and Agreement to Close the Potrero Power Plant - $1,100,000]**
Supervisors Maxwell, Chiu, Alioto-Pier
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Mirant Potrero L.L.C. on April 27, 2009, in San Francisco Superior Court, Case No, CGC 09-487-795; entitled City and County of San Francisco, et al., v. Mirant Potrero L.L.C., which settlement provides for, among other things, permanent closure of the entire Potrero Power Plant when it is no longer needed for electric reliability, payment by Mirant of $1,100,000 to the City, the City's agreement to stay enforcement of the UMB Ordinance for the unoccupied unreinforced masonry buildings located at the Potrero Power Plant site pending a new site reuse plan so long as Mirant maintains the buildings in a safe manner, Mirant's agreement to restrict future uses of the site to prohibit fossil fuel generation after the Plant is shut down, and the City's agreement to priority processing of a future application for entitlements for a proposed site reuse plan.

10/20/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 091070 **[Settlement of Lawsuit - Pat Moore/Tom Moore - $120,000]**
Ordinance authorizing settlement of the portion of the lawsuit filed by Pat Moore/Tom Moore against the City and County of San Francisco for $120,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

10/20/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 091071 **[Settlement of Lawsuit - James Cordova/Maria Morales - $35,000]**

Ordinance authorizing settlement of the portion of the lawsuit filed by James Cordova/Maria Morales against the City and County of San Francisco for $35,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al.
(City Attorney)

10/20/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 091072 **[Settlement of Lawsuit - Mehrdad Alemozaffar - $385,000]**

Ordinance authorizing settlement of the lawsuit filed by Mehrdad Alemozaffar against the City and County of San Francisco for $385,000; the lawsuit was filed on July 20, 2007, in United States District Court, Northern District of California, Case No. C07-4494 JSW; entitled Mehrdad Alemozaffar, et al., v. City and County of San Francisco, et al.
(City Attorney)

10/20/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 091140 **[Settlement of Lawsuit - Joseph Imbelloni; Imbelloni Construction Co., Inc.; and Bayside Vista LLC]**

Supervisor Maxwell

Ordinance authorizing settlement of the lawsuit filed by Joseph Imbelloni; Imbelloni Construction Co., Inc.; and Bayside Vista LLC, against the City and County of San Francisco for a Writ of Mandate against the City and County of San Francisco to cease and desist from requiring a residential housing development commonly known as Bayside Vista, 2011 Bayshore Boulevard from compliance with the Visitacion Valley Community Facilities and Infrastructure Fee and Fund; the lawsuit was filed on August 19, 2008, in San Francisco Superior Court, Case No. CGC-08-478842; entitled Joseph Imbelloni; Imbelloni Construction Co., Inc.; Bayside Vista LLC v. City and County of San Francisco; Department of Building Inspection; Jose Cisneros, Treasurer of the City and County of San Francisco, et al; other material terms of said settlement are set forth in the Settlement Agreement and Release of Claims contained in Board of Supervisors File No. 091140.

10/20/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 091123 **[Appointment, Bicycle Advisory Committee - Ariella Hyman]**

Motion appointing Ariella Hyman, term ending November 19, 2010, to the Bicycle Advisory Committee.

Question: Shall this Motion be APPROVED?

13. 091130 **[Appointment, Public Utilities Commission Rate Fairness Board - Donald Hilla]**

Motion appointing Donald Hilla, for an indefinite term, to the Public Utilities Commission Rate Fairness Board.

Question: Shall this Motion be APPROVED?

14. 091131 **[Appointment, Children and Family First Commission - Maria Su]**
Motion appointing Maria Su, for an indefinite term, to the Children and Families First Commission.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

15. 091138 **[Public Employment - Department of Human Resources]**
Supervisor Chiu
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010) to reflect the addition of four (2.32 FTE) Class 1064L IS Programmer Analyst – Principal and four (2.32 FTE) Class 1054L IS Business Analyst – Principal and two (1.16 FTE) Class 1043L IS Engineer – Senior in the Department of Human Resources (DHR).
(Fiscal Impact.)

10/20/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
10/20/2009, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

16. 091168 **[Appropriating $150,000 of General Fund Reserve to General City Responsibility for Emergency Aid Relief in the Philippines, Samoa and Indonesia]**
Supervisors Daly, Campos
Ordinance appropriating $150,000 from the General Fund Reserve to General City Responsibility for emergency aid relief for the people of the Philippines, Samoa and Indonesia related to recent natural disasters for FY 2009-2010, and placing the total appropriation of $150,000 on Budget and Finance Committee reserve pending submittal of a detailed expenditure plan.
(Supervisor Chu dissented in Committee.)

10/20/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

17. 090477 [Amending Planning Code - South of Market (SOMA) Community Stabilization Fund]
Supervisor Daly
Ordinance amending Section 318.2 and 318.7 of the San Francisco Planning Code to clarify certain provisions relating to the South of Market (SOMA) Stabilization Fund to clarify that the Mayor's Office of Community Investment, the successor to the Mayor's Office of Community Development, will manage and expend the Fund; and amending Section 318.3 to clarify that the SOMA Stabilization fee is due before issuance of the final certificate of occupancy or within a time certain after the issuance of a first certificate of occupancy, whichever is sooner; and making certain findings including findings under the California Environmental Quality Act.

10/6/2009, PASSED, ON FIRST READING.
10/20/2009, CONTINUED ON FINAL PASSAGE. Continued to October 27, 2009.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Alioto-Pier

18. 091032 [Confidentiality of juveniles' immigration status]
Supervisors Campos, Avalos, Chiu, Dufty, Mar, Maxwell, Mirkarimi, Daly
Ordinance amending the San Francisco Administrative Code by amending Sections 12H.2, 12H.2-1, and 12H.3 to allow City law enforcement officers and employees to report information regarding the immigration status of a juvenile to any state or federal agency when the juvenile has been adjudicated to be a ward of the court on the ground of felony conduct, the court makes a finding of probable cause after the District Attorney directly files felony criminal charges against the minor, or the juvenile court determines that the minor is unfit to be tried in juvenile court and the superior court makes a finding of probable cause; and to update references to the federal agency responsible for enforcing federal immigration laws.
(Supervisor Alioto-Pier dissented in committee.)

10/20/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

19. 090999 **[Waiving contracting provisions to allow the City to meet State requirements to participate in Proposition 1A bond sale]**

Mayor, Supervisor Avalos

Emergency ordinance (1) finding that an emergency exists for purposes of Charter Section 2.107; and (2) waiving certain City contracting provisions that are not allowed by the State under the State's standard form of purchase and sale agreement with the California Statewide Communities Development Authority and thus allowing the City to meet the deadline to participate in the State program to issue bonds to offset the adverse effects of the State's Proposition 1A borrowing of local property taxes.

(Fiscal Impact.)

Question: Shall this Ordinance be FINALLY PASSED?

20. 091094 **[Approving agreements for procurement, installation and implementation of San Francisco Public Utilities Commission Advanced Meter Infrastructure System]**

Ordinance approving agreements necessary for the procurement, installation and implementation of the San Francisco Public Utilities Commission's Advanced Meter Infrastructure System, including Water Enterprise Agreement No. CS-936 with VSI Meter Services, Inc., related software license and maintenance agreements with Aclara RF Systems Inc., and a related source code escrow agreement with Aclara RF Systems and U.S. Bank National Association, under Charter Section 9.118; making findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; and ratifying the procurement and contracting processes used by the San Francisco Public Utilities Commission.

(Public Utilities Commission)

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 091169 **[Accept and Expend Federal Grant - Police Department - $16,562,750]**

Mayor

Ordinance authorizing the City and County of San Francisco's Police Department to retroactively accept and expend ARRA grant funds in the amount of $16,562,750 from the U.S. Department of Justice COPS Program for implementation of the COPS Hiring Recovery Program to hire 50 new Q-2 San Francisco Police Officers and placing $14,112,750 of the accepted funds on Budget and Finance Committee reserve and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 091000 [Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Certain Other Actions in Connection with Proposition 1A Bond Sale]

Mayor, Supervisor Avalos

Resolution approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the City's Proposition 1A receivable from the State; and directing and authorizing certain other actions in connection therewith.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

23. 091095 [Lease purchase financing for the acquisition of Advanced Meter Infrastructure Equipment]

Resolution approving the lease purchase financing for the acquisition of Advanced Meter Infrastructure Equipment for the San Francisco Public Utilities Commission; approving the form of a lease purchase financing agreement between the Public Utilities Commission and a lender to be named therein, authorizing the selection of such lender, and ratifying previous actions taken in connection therewith.

(Public Utilities Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

24. 091167 [Broadway Family Apartments Revenue Bonds - NTE $19,200,000]

Supervisor Chiu

Resolution approving the reissuance of not to exceed $19,200,000 aggregate principal amount of City and County of San Francisco Multi-family Housing Revenue Bonds Series 2004a (Broadway Family Apartments) pursuant to Section 147(f) of the Internal Revenue Code of 1986; approving the Fifth Amendment to Loan Agreement and Fifth Supplemental Indenture; ratifying previous actions; and authorizing the execution and delivery of documents and instruments.

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Elsbernd

25. 091111 [Support Assembly Bill 1019 - Alcohol-Related Services Act]

Supervisors Dufty, Daly, Avalos

Resolution urging support of Assembly Bill 1019, the Alcohol-Related Services Act to deliver services to, and ensure the public health and safety of, the people of California supported by a reasonable and rational mitigation fee.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

26. 090780 **[Revisions to Division I of the San Francisco Transportation Code]**
Ordinance amending San Francisco Transportation Code, Division I, by amending Sections 3.4, 6.7, 7.2.12, 7.2.26, 7.2.27, 7.2.28, 7.2.29, 7.2.71, 7.2.80, 7.2.101, 7.3.3 and 8.1 to change existing posting requirements for temporary parking restriction signs; amend the requirements for street barricades for street fairs; provide that yellow or white zones may be indicated by either yellow or white paint on the curb or signage; provide a three minute time limit for noncommercial vehicles parked in yellow zones; provide a three consecutive day on-street parking restriction instead of seven consecutive days; provide that any violation of Division II, Section 903 is a violation of Section 7.2.71; prohibit taxicab operators from leaving a vehicle unattended in certain use districts; provide that persons are prohibited from boarding a Municipal Railway vehicle in revenue service through the rear exit while the vehicle is operating on a transit line unless on a line, route or location designated by the SFMTA; provide that four or more violations of Section 7.2.71 within one year constitute a misdemeanor; repeal noticing requirements for towing vehicles on public streets; and clarify applicable restrictions and references to Division II; and repealing Section 7.2.44 prohibiting parking on designated streets near Candlestick Park.
(Municipal Transportation Agency)

8/3/2009, SUBSTITUTED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 090931 **[Rental Subsidy Program for Low-Income Families]**
Supervisors Avalos, Campos, Mar
Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi

28. 090937 **[Accept and Expend Federal Grant - Airport Commission - $700,500]**
Supervisor Elsbernd
Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of $700,500 from the Transportation Security Administration for the Airport K-9 Explosives Detection Team Program.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

29. 090523 [Eastern Neighborhoods Citizens Advisory Committee]
Supervisor Daly
Ordinance amending the Administrative Code Section 10E.2 concerning the qualifications for and number of members on the Eastern Neighborhoods Citizens Advisory Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 090833 [Lobbyist Ordinance amendments]
Supervisor Chiu
Ordinance amending Chapter I of Article II of the Campaign and Governmental Conduct Code by amending Sections 2.100, 2.105, 2.110, 2.115, 2.117, 2.130, 2.135, 2.140, 2.145 and 2.150, adding Section 2.116, and deleting Sections 2.125 and 2.160, to simplify registration requirements, adopt a more equitable fee structure, ease electronic filing of lobbyist disclosures, and establish an effective date for these amendments.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 090989 [Campaign Finance Reform Ordinance amendments]
Supervisor Daly
Ordinance amending Article I, Chapter I of the Campaign & Governmental Conduct Code by amending sections 1.100, 1.104, 1.107, 1.108, 1.112, 1.113, 1.114, 1.118, 1.122, 1.128, 1.130, 1.134, 1.135, 1.136, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.156, 1.161, 1.161.5, 1.168, 1.170, deleting sections 1.134.5, 1.158, and 1.160, and adding sections 1.109, 1.143, 1.171, and 1.175 to refine and conform definitions; to eliminate and streamline reporting requirements; to authorize greater electronic filing; to adjust expenditure ceilings for inflation; to clarify the permissible uses of campaign funds; to provide that certain candidates are eligible to accept Voluntary Expenditure Ceilings; to set forth the instances in which the Ethics Commission will lift Voluntary Expenditure Ceilings; to modify how public funds are disbursed to eligible candidates; to clarify the requirements for third-party reporting; to amend the statute of limitations for administrative actions; and to impose record retention requirements on local committees.
(Supervisor Alioto-Pier dissented in Committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 091060 **[Confirming the appointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors]**
Mayor
Motion confirming the appointment of Claudine Cheng to the Treasure Island Development Authority Board of Directors for a four-year term ending February 26, 2010.
(Appointments of Directors who are officers of SF or officers of SF Redevelopment Agency are effective immediately unless rejected by two-thirds vote of Board (8 votes) within 30 days written notice (3.100 (17). Appointments of Directors who are not City officers or officers of SF Redevelopment Agency are effective only upon approval by a majority of the BOS. Transmittal date – August 24, 2009.)
(Supervisor Daly dissented in Committee.)

Question: Shall this Motion be APPROVED?

33. 091034 **[Extending the term of the Joint City and School District Committee for one year]**
Supervisor Elsbernd
Motion amending Rule 5.7 of the Board of Supervisors' Rules of Order to extend the term of the Joint City and School District Select Committee for one year.

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Campos, Daly, Alioto-Pier

34. 090795 **[Prohibiting City employees and officers from raising funds for City departments]**
Supervisor Daly
Ordinance adding a new Chapter 5 to Article III of the Campaign and Governmental Conduct Code, by adding sections 3.500, 3.505, 3.510 and 3.515, to prohibit City employees and officers from soliciting donations to nonprofit organizations to fund City departments from persons doing business with those departments.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Recessed Meeting on Thursday, October 22, 2009. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 27, 2009.

35. 091161 **[Approving Issuance of a Request for Proposals for CleanPowerSF]**
Supervisor Mirkarimi
Ordinance approving issuance of a Request for Proposals for Community Choice Aggregation (CCA) Services for the San Francisco CCA program, commonly known as CleanPowerSF.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

37. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 38 through 44

38. 091173 **[Urging the United States federal government to end the U.S. military occupation of Afghanistan]**

Supervisors Avalos, Campos, Daly, Mar, Mirkarimi

Resolution urging the United States federal government to end the U.S. military occupation of Afghanistan while providing humanitarian aid to support the recovery of the country from the effects of war.

10/6/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/20/2009, AMENDED.

10/20/2009, CONTINUED AS AMENDED. Continued to October 27, 2009.

Question: Shall this Resolution be ADOPTED?

39. 091213 **[Accept and Expend Federal/State Grant - Department of Public Library - $5,667]**

Supervisor Chu

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $5,667 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

10/20/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 091214 **[Urging the State of California Alcoholic Beverage Control office to maintain its San Francisco Office]**

Supervisors Dufty, Chiu

Resolution urging the State of California Alcoholic Beverage Control office to maintain its San Francisco Office and continue to provide their crucial necessary services to the Citizens of San Francisco.

10/20/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

41. 091215 **[Urging SFMTA to implement AB 144 in order to curb abuse of disabled placards]**

Supervisors Dufty, Mar

Resolution urging the San Francisco Municipal Transportation Agency to implement California Assembly Bill 144 to curb abuse of disabled placards.

10/20/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 091216 **[Support for Irish Unification]**

Supervisor Daly

Resolution urging the Federal officials to support Irish Unification.

10/20/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 091220 **[Authorizing the Clerk of the Board of Supervisors to Commence Negotiation for the Budget and Legislative Analyst Services]**

Supervisor Avalos

Motion directing the Clerk of the Board of Supervisors to begin negotiations with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie and Wong, LLP, A Joint Venture for Budget and Legislative Analyst Services per Request for Proposal (RFP) #BOS-01-424.

10/20/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

44. 091193 **[Final Map - 1169 Market Street]**

Motion approving Final Map 4820, a Merger and 2 Lot Resubdivision, Parcel "A" being an 80 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 1169 Market Street being a subdivision of Lots 039, 051, and 052 in Assessors Block No. 3702 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.
(Public Works Department)

10/19/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

45. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

There were none.

46. 091222 [Petitions and Comunications]

Petitions and Communications received from October 13, 2009, through October 19, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 27, 2009.

From State Public Utilities Commission, submitting notification that an application has been filed by Pacific Gas and Electric Company to recover costs associated with agreement from its 2008 long term request for offers. (1)

From T-Mobile, submitting notification letters regarding placement of cellular site antennas at the following sites: (2)
237 Brazil Avenue.
478 Orizaba Street
4300 Anza Street
1200 Haight Street

From State Fish and Game Commission, submitting notice of location change for adoption hearing on proposed regulatory action for Sport Fishing Regulations for years 2010-2012. (3)

From Office of the Mayor, submitting appointment of Al Perez as a member of the Entertainment Commission effective October 14, 2009, to fill the neighborhood representative seat. Copy: Each Supervisor, Rules Clerk (4)

From concerned citizens, submitting opposition to proposed legislation to extend parking meter hours in San Francisco. 5 letters (5)

From Office of Citizen Complaints, submitting the Third Quarter 2009 Statistical Report. (6)

From Recreation and Parks Department and the Port, submitting the 2008 Clean and Safe Neighborhood Park Bond Accountability Report. (7)

From James Corrigan, regarding the extended red zones painted adjacent to fire house doors in order to elimiate cars from parking there. (8)

From concerned citizens, submitting support for proposed legislation to extend parking meter hours in San Francisco. 3 letters (9)

From James Trousdale, submitting support for strengthening the Entertainment Commission and opposing the restriction of granting permits for special events. (10)

From Arthur Evans, submitting support for proposed motion that amends Rule 1.4 to provide additional opportunities for public comment at committee meetings. File No. 091107, Copy: Rules Committee (11)

From concerned citizens, submitting opposition to the closure of the Presidio Boulevard entrance. 2 letters (12)

From concerned citizens, urging the Board of Supervisors to preserve the historic 18-hole Sharp Park Golf course. 7 letters (13)

From Laura Cleveland, submitting support for proposed legislation to transfer Sharp Park to the National Park Service as part of the Golden Gate National Recreation Area or to jointly manage the park with the Park Service. 7 letters (14)

From Police Department, submitting notice that the department will hold its first Compstat meeting under the direction of Chief Gascon on Wednesday, October 21, 2009, at the Cathedral Hill Hotel. (15)

From Blake Gray, regarding Comcast's billing practices. (16)

From Merrick Wolfe, submitting opposition to restricting off-leash dog privileges at Fort Funston, namely by changing the area's name from Golden Gate National Recreation Area to Golden Gate National Parks. (17)

From concerned citizens, commenting on proposed ordinance regarding confidentiality of juveniles' immigration status. File No. 091032, 7 letters (18)

From Lisa Roberts, urging the Department of Public Works to trim the trees on the 500 block of Arguello Boulevard. (19)

From concerned citizens, regarding the war in Afghanistan. File No. 091173, 2 letters (20)

From concerned citizen, regarding rent control in San Francisco. Copy: Each Supervisor (21)

Question: Shall this Communication be RECEIVED?

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

OCT 30 2009

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 3, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the 5, 6, 7, 9, 21, 47, 49, 71, 71L, F, J, K, L, M, N, T (exit at Van Ness Station). For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the October 6, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

1. 091094 **[Approving agreements for procurement, installation and implementation of San Francisco Public Utilities Commission Advanced Meter Infrastructure System]**

Ordinance approving agreements necessary for the procurement, installation and implementation of the San Francisco Public Utilities Commission's Advanced Meter Infrastructure System, including Water Enterprise Agreement No. CS-936 with VSI Meter Services, Inc., related software license and maintenance agreements with Aclara RF Systems Inc., and a related source code escrow agreement with Aclara RF Systems and U.S. Bank National Association, under Charter Section 9.118; making findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; and ratifying the procurement and contracting processes used by the San Francisco Public Utilities Commission.

(Public Utilities Commission)

(Fiscal Impact.)

10/27/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. **091169** **[Accept and Expend Grant - Police Department - $16,562,750]**
Mayor
Ordinance authorizing the City and County of San Francisco's Police Department to retroactively accept and expend ARRA grant funds in the amount of $16,562,750 from the U.S. Department of Justice COPS Program for implementation of the COPS Hiring Recovery Program to hire 50 new Q-2 San Francisco Police Officers and placing $14,112,750 of the accepted funds on Budget and Finance Committee reserve and amending the Annual Salary Ordinance to provide for the creation of certain grant-funded positions.
(Fiscal Impact.)

10/27/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Mirkarimi

3. **091164** **[Accept and Expend Grant - Department of Public Health - $282,150]**
Supervisor Chu
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Health and Human Services Administration in the amount of $282,150 to upgrade radiology equipment in the Trauma Center at San Francisco General Hospital for the period of September 1, 2009, through February 28, 2011.

Question: Shall this Resolution be ADOPTED?

4. **091170** **[Accept and Expend Grant - Urban Auto Fraud Interdiction Program - $250,000]**
Supervisor Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $250,000 through the California Department of Insurance, Fraud Division, Local Assistance Program, for a program entitled Organized Automobile Fraud Activity Interdiction Program ("Urban Auto") for FY 2009-2010.

Question: Shall this Resolution be ADOPTED?

5. **091172** **[Accept and Expend Grant - Back on Track Re-entry Program Infrastructure and Replication Grant - $400,000]**
Supervisor Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $400,000 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "Back On Track Re-entry Program Infrastructure and Replication Grant" for FY 2009-2012.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present Supervisors Mirkarimi, Mar, Maxwell

6. 091161 **[Approving Issuance of a Request for Proposals for CleanPowerSF]**
Supervisors Mirkarimi, Mar, Campos
Ordinance approving issuance of a Request for Proposals for Community Choice Aggregation (CCA) Services for the San Francisco CCA program, commonly known as CleanPowerSF.

10/27/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Mar, Chiu

7. 090780 **[Revisions to Division I of the San Francisco Transportation Code]**
Ordinance amending San Francisco Transportation Code, Division I, by amending Sections 3.4, 6.7, 7.2.12, 7.2.26, 7.2.27, 7.2.28, 7.2.29, 7.2.71, 7.2.80, 7.2.101, 7.3.3 and 8.1 to change existing posting requirements for temporary parking restriction signs; amend the requirements for street barricades for street fairs; provide that yellow or white zones may be indicated by either yellow or white paint on the curb or signage; provide a three minute time limit for noncommercial vehicles parked in yellow zones; provide a three consecutive day on-street parking restriction instead of seven consecutive days; provide that any violation of Division II, Section 903 is a violation of Section 7.2.71; prohibit taxicab operators from leaving a vehicle unattended in certain use districts; provide that persons are prohibited from boarding a Municipal Railway vehicle in revenue service through the rear exit while the vehicle is operating on a transit line unless on a line, route or location designated by the SFMTA; provide that four or more violations of Section 7.2.71 within one year constitute a misdemeanor; repeal noticing requirements for towing vehicles on public streets; and clarify applicable restrictions and references to Division II; and repealing Section 7.2.44 prohibiting parking on designated streets near Candlestick Park.
(Municipal Transportation Agency)

8/3/2009, SUBSTITUTED.

10/27/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

8. 090523 **[Eastern Neighborhoods Citizens Advisory Committee]**
Supervisors Daly, Campos
Ordinance amending the Administrative Code Section 10E.2 concerning the qualifications for and number of members on the Eastern Neighborhoods Citizens Advisory Committee.

10/27/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

9. 090833 **[Lobbyist Ordinance Amendments]**
Supervisors Chiu, Campos
Ordinance amending Chapter I of Article II of the Campaign and Governmental Conduct Code by amending Sections 2.100, 2.105, 2.110, 2.115, 2.117, 2.130, 2.135, 2.140, 2.145 and 2.150, adding Section 2.116, and deleting Sections 2.125 and 2.160, to simplify registration requirements, adopt a more equitable fee structure, ease electronic filing of lobbyist disclosures, and establish an effective date for these amendments.

10/27/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

10. 091254 **[Adopting findings reversing the exemption determination for the 430 Main Street/429 Beale Street project]**
Motion adopting findings reversing the exemption determination by the Planning Department that the 430 Main Street/429 Beale Street project is exempt from further environmental review.
(Clerk of the Board)

10/28/2009, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

11. 090931 **[Rental Subsidy Program for Low-Income Families]**
Supervisors Avalos, Campos, Mar, Mirkarimi
Ordinance adding Sections 48.1 through 48.7 to the San Francisco Administrative Code creating the Rental Subsidy Program for Low-Income Families that establishes a need-based local housing subsidy for homeless families subject to the fiscal and budgetary provisions of the Charter.

10/27/2009, AMENDED.
10/27/2009, AMENDED.
10/27/2009, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

12. 090989 **[Campaign Finance Reform Ordinance Amendments]**
Supervisor Daly
Ordinance amending Article I, Chapter I of the Campaign & Governmental Conduct Code by amending sections 1.100, 1.104, 1.107, 1.108, 1.112, 1.113, 1.114, 1.118, 1.122, 1.128, 1.130, 1.134, 1.135, 1.136, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.156, 1.161, 1.161.5, 1.168, 1.170, deleting sections 1.134.5, 1.158, and 1.160, and adding sections 1.109, 1.143, 1.171, and 1.175 to refine and conform definitions; to eliminate and streamline reporting requirements; to authorize greater electronic filing; to adjust expenditure ceilings for inflation; to clarify the permissible uses of campaign funds; to provide that certain candidates are eligible to accept Voluntary Expenditure Ceilings; to set forth the instances in which the Ethics Commission will lift Voluntary Expenditure Ceilings; to modify how public funds are disbursed to eligible candidates; to clarify the requirements for third-party reporting; to amend the statute of limitations for administrative actions; and to impose record retention requirements on local committees.
(Supervisor Alioto-Pier dissented in Committee.)

10/27/2009, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
10/27/2009, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

13. **091166** **[Approval of Management and Operations Agreement for the Cable Car Museum]**
Supervisor Chiu
Resolution retroactively approving Municipal Transportation Agency Management and Operations Agreement with the Friends of the Cable Car Inc., for the Cable Car Museum for a term of ten years with two five-year options to extend the term.

Question: Shall this Resolution be ADOPTED?

14. **091178** **[Approval of Lease for Pier 15 and a portion of Pier 17, and related Parking Agreement and Licenses]**
Mayor, Supervisor Chiu
Resolution approving and authorizing a 66-year Lease of Pier 15 and a portion of Pier 17 and a related Parking Agreement at Seawall Lot 321, two Curb Indent Licenses in front of Piers 15 and 17 and a Curb Space License at Green Street between the Exploratorium and the City and County of San Francisco acting by and through the San Francisco Port Commission.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

15. **091179** **[CEQA Findings in Connection with the Exploratorium Relocation Project]**
Mayor, Supervisors Chiu, Dufty
Resolution adopting findings pursuant to the California Environmental Quality Act (CEQA) and Administrative Code Chapter 31 in connection with the Exploratorium Relocation Project proposed to be located on Pier 15 and a portion of Pier 17 in the Port of San Francisco, City and County of San Francisco.
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Chiu

16. 080323 **[Place of Entertainment Permits and Board of Appeals procedures]**
Mayor, Supervisor Dufty
Ordinance amending the San Francisco Police Code by amending Sections 2.26, 1060, 1060.1, 1060.2, 1060.3, 1060.5, 1060.24, 1060.25 and 1060.29, by adding Sections 1060.20.1, 1060.20.2, 1060.20.3, 1060.20.4, 1060.24.1, 1060.24.2, 1060.29.1, 1060.30, 1060.31, 1060.32, 1060.33, 1060.34, 1060.35, 1060.36, and 1060.37, by repealing Sections 1060.4, 1060.20, and 1060.22, and by adding new Sections 1060.4 and 1060.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Place of Entertainment Permits and One Night Event Permits (now called "One Time Event Permits"), including changes in penalties, and amending the San Francisco Business and Tax Regulations Code by amending Sections 8 and 26 to provide the time for appealing to the Board of Appeals, to provide an additional category of permit suspension and revocation actions that are not suspended pending a decision by the Board of Appeals, and to clarify the standards governing the review of permits.

10/28/2008, SUBSTITUTED.

2/24/2009, SUBSTITUTED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 080324 **[Extended-Hours Premises Permits]**
Mayor, Supervisor Dufty
Ordinance amending the San Francisco Police Code by amending Sections 1070, 1070.1, 1070.2, 1070.3, 1070.5, 1070.7, 1070.8, 1070.19, 1070.22, and 1070.24, by adding Sections 1017.17.1, 1017.17.2, 1017,17.3, 1070.28, 1070.29, 1070.30, 1070.31, 1070.32, 1070.33, 1070.34, 1070.35, and 1070.36; by repealing Sections 1070.4, 1070.17, 1070.20, 1070.20-1, 1070.21, and 1070.26; and by adding new Sections 1070.4, 1070.17, and 1070.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Extended-Hours Premises Permits, including changes in penalties.

10/28/2008, SUBSTITUTED.

2/24/2009, SUBSTITUTED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Dufty, Daly, Mirkarimi

18. 091039 **[Prohibiting Onychectomy (Declawing) and Tendonectomy Procedures on Cats]**
Supervisors Mirkarimi, Campos, Avalos, Maxwell, Daly, Dufty
Ordinance amending the San Francisco Health Code by adding Section 45 to prohibit onychectomy (declawing) and tendonectomy procedures on cats except when necessary for a therapeutic purpose.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mirkarimi, Mar, Maxwell

19. **091112** **[Finding of Fiscal Feasibility; Retention and Expansion of the San Francisco Wholesale Produce Market]**

Mayor, Supervisors Maxwell, Dufty, Mirkarimi, Mar

Resolution adopting finding that the retention and expansion of the San Francisco Wholesale Produce Market are fiscally feasible pursuant to Administrative Code Chapter 29.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

20. **091118** **[Board response to the 2008-2009 Civil Grand Jury Report entitled "USE IT OR LOSE IT: a Report on the Surplus Real Property Owned by the San Francisco Unified School District"]**

Supervisor Mirkarimi

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "USE IT OR LOSE IT: A Report on the Surplus Real Property Owned by the San Francisco Unified School District.

Question: Shall this Resolution be ADOPTED?

21. **091119** **[Board response to the 2008-2009 Civil Grand Jury Report entitled "Being Propositioned by the San Francisco Unified School District"]**

Supervisor Mirkarimi

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "Being Propositioned By The San Francisco Unified School District," and urging the SFUSD to cause the implementation of accepted recommendations.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

22. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

23. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 24 through 29

24. 091255 **[Declaring November 8 to November 14, 2009, Radiology Week]**
Supervisor Dufty
Resolution declaring November 8 to November 14, 2009, Radiology Week in San Francisco.

10/27/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

25. 091256 **[Celebrating the Cliff House on its Centennial of the 1909 building]**
Supervisors Mar, Alioto-Pier
Resolution celebrating the Cliff House on its Centennial of the 1909 building.

10/27/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

26. 091257 **[Approval of Additional Emergency Work at Midtown Park Apartments]**
Supervisor Mirkarimi
Resolution authorizing the Director of the Mayor's Office of Housing to take all necessary measures to protect the health and safety of the residents of Midtown Park Apartments by performing additional emergency repairs to the sewer systems and exterior staircases.

10/27/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

27. 091258 [Proclaiming November 5, 2009, as Elaine Mikels Day]

Supervisor Chiu

Resolution proclaiming November 5, 2009, as "Elaine Mikels Day" in San Francisco.

10/27/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

28. 091259 [Approval of a 30-day extension for Planning Commission review]

Supervisor Chiu

Resolution extending, by 30 days, the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the definition of Tobacco Paraphernalia Establishments in Section 227(v), to lower the threshold for retail stores to be considered Tobacco Paraphernalia Establishments from 15% of the square footage of the establishment to 10% of the occupied floor area, as defined in Section 102.10, or 10 linear feet of display area in total, whichever is less; amending Sections 790.123 and 890.123 to reflect this definition; amending Section 723.1 and the Table at Section 723, to make Tobacco Paraphernalia Establishments, as defined, not permitted in the Polk Street Neighborhood Commercial District; amending Section 186.1, to change the period of non use for a nonconforming Tobacco Paraphernalia Establishment use be deemed discontinued in the Polk Street NCD from three years to eighteen months, and making findings of consistency with the priority policies of the Planning Code Section 101.1 and environmental findings.

10/27/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 091239 [Final Map - 748 Innes Avenue]

Motion approving Final Map 5308, a Mixed-Use 6 Unit Residential and 1 Unit Commercial Condominium Project, located at 748 Innes Avenue being a subdivision of Lot No. 005A in Assessors Block No. 4644 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

(Public Works Department)

(DPW No. 1278,382; District 10.)

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

30. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 20, 2009, to October 26, 2009, for reference by President to appropriate committee on November 3, 2009.

091230 **[Department of Building Inspection cash revolving fund]**
Ordinance amending San Francisco Administrative Code Section 10.135 to increase the cash revolving fund of the Department of Building Inspection from $600 to $2,000.
(Building Inspection Department)

10/22/2009, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/21/2009.

091231 **[Authorizing the Municipal Transportation Agency to implement on-street parking meter and parking control pilot projects]**
Ordinance authorizing the Municipal Transportation Agency to implement and extend SFPark parking meter and parking control pilot projects.
(Municipal Transportation Agency)

10/23/2009, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/22/2009.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 20, 2009, to October 26, 2009, for reference by President to appropriate committee on November 3, 2009.

090679 **[Amendment to the John Stewart Company Sublease]**
Resolution approving and authorizing the execution of a Fifth Amendment to Sublease with the John Stewart Company to discontinue Earthquake and Flood Insurance.
(Treasure Island Development Authority)

10/22/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091232 **[Approval of the Ryan White HIV Emergency Relief Grant Program application]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit an application to continue to receive funding for the "HIV Emergency Relief Programs (Ryan White Programs, Part A)" grant from the Health Resources Services Administration (HRSA), requesting $36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area (EMA); from March 1, 2010, through February 28, 2011.
(Public Health Department)

10/26/2009, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

091236 **[Approval of contract for Personal Assisted Employment Services Program for the Department of Public Health]**
Resolution authorizing the San Francisco Department of Public Health to enter into a contract with Richmond Area Multi-Services, Inc., to provide mental health services through the Personally Assisted Employment Services program for the term of January 1, 2010, through June 30, 2016.
(Public Health Department)

10/26/2009, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

091240 **[Petitions and Communications]**

Petitions and Communications received from October 20, 2009, through October 26, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 3, 2009.

From Office of the Controller, submitting the financial audit report for the Statement of Grant Revenues and Expenditures, Sheriff's Department, for the period from February 1, 2007, through June 30, 2009. (1)

From Office of the Controller, submitting an audit report for Gotham Enterprises, LLC, dba Peet's Coffee & Tea. Gotham has two lease agreements with the Airport Commission to operate six Peet's Coffee & Tea facilities in the San Francisco International Airport. Copy: Budget and Finance Committee Clerk (2)

From Department of Human Resources, submitting the annual report on Sexual Harassment complaints filed in FY 2008-2009. Copy: Each Supervisor (3)

From Human Services Agency, submitting FY 2009-2010 First Quarter Human Services Care Fund Report. Copy: Each Supervisor (4)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interest for Alexa Delwiche, leaving, Office of Legislative Analyst and Nilka Julio, leaving, Office of the Clerk of the Board. (5)

From Capital Planning Committee, submitting recommendations for the following S.F. Port resolutions: authorizing the issuance of revenue bonds for various capital improvements and (2) the supplemental appropriation request for various capital improvements. (6)

From Office of the Controller, submitting the Monthly Economic Barometer Report for the City and County of San Francisco for July/August 2009. (7)

From Department of Building Inspection, submitting the second Project Progress Report for the Permit and Project Tracking System. (8)

From Emil Lawrence, regarding the Board of Supervisors response to the FY 2008-2009 Civil Grand Jury Report entitled "Pensions: Beyond Our Ability to Pay." Copy: Government Audit and Oversight Committee Clerk, File No. 091159 (9)

From Sanger Sacramento Street, LLC, regarding the basement of his building at 576 Sacramento Street flooding each year after a heavy rain storm due to an inadequately sized side sewer and an inadequately sized Sacramento Street sewer line. (10)

From Office of the Controller, submitting the audit report for Portsmouth Plaza Parking Corporation. Copy: Government Audit and Oversight and Budget and Finance Committee Clerks (11)

From concerned citizens, submitting support for the expansion of Redwood Park to 555 Washington Street. 2 letters (12)

From Health Service System, regarding claims denied by Blue Shield and policies the Health Service system has on assisting members of Blue Shield. (Reference No. 20090922-001) (13)

From concerned citizens, submitting support for extending parking meter hours in San Francisco. 2 letters (14)

From concerned citizens, submitting opposition to proposed legislation to extend parking meter hours in San Francisco. 2 letters (15)

From State Office of Historic Preservation, submitting notice that on October 8, 2009, the "Roos House" was placed on the National Register of Historic Places. Copy: Each Supervisor (16)

From concerned citizens, regarding proposed legislation concerning the "Carryout Bag Rebate" Ordinance. File No. 091211, Copy: Each Supervisor, City Operations and Neighborhood Services Committee Clerk, 4 letters (17)

From concerned citizens, commenting on proposed ordinance regarding confidentiality of juveniles' immigration status. File No. 091032, 5 letters (18)

From Andrea Nelson, regarding allowing dogs on Muni. (19)

From Round the Diamond, submitting proposal to initiate a public-private partnership to build a Basketball Education and Career Pathway Arena. File Nos. 090782, 090920, Copy: Each Supervisor (20)

From Park Animal Hospital, regarding proposed legislation prohibiting onychectomy (declawing) and tendonectomy procedures on cats. File No. 091039 (21)

From William McGowan, submitting support for proposed legislation urging Federal officials to support Irish Unification. File No. 091216 (22)

From Ryan Van Lenning, urging the Board of Supervisor to adopt a Clean Power SF (Community Choice) RPF with a strong local renewable energy and efficiency mandates that conform to the original project implementation Plan passed in July 2007. (23)

From State Fish and Game Commission, submitting notice of findings regarding the American Pika which will be published in the California Regulatory Notice Register on October 23, 2009. (24)

From State Public Utilities Commission, submitting notice that PG&E has filed an application for expedited Commission authorization to change residential electric rates effective January 1, 2010. Copy: Each Supervisor (25)

From concerned citizens, regarding Sharp Park Golf Course. (26)

From concerned citizens, regarding the Entertainment Commission. 2 letters (27)

From Patrick Missue, regarding the intersection of Alemany Boulevard and San Juan Avenue. (28)

From Rebecca Sarinelli, regarding the nightclubs in North Beach. (29)

From John Morrison, regarding motorcycles and boom car noise. (30)

From Danny Tamayo, regarding the mandatory composting law in San Francisco. (31)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

NOV - 6 2009

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 10, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying, 2) ringing and use of cell phones, pagers and similar sound producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room, and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings. For information, call (415) 554-5184.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the 5, 6, 7, 9, 21, 47, 49, 71, 71L, F, J, K, L, M, N, T (exit at Van Ness Station). For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Approval of the October 20, 2009, Board Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 5

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Chu, Campos

1. 091187 **[Authorizing the Office of Contract Administration to Amend its Contract with Xtech to Increase the Contract Amount to $40,000,000]**
Resolution authorizing the Office of Contract Administration to enter into the Second Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract amount from $12,475,000 to $40,000,000.
(Office of Contract Administration)
(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

2. 091188 [Authorizing the San Francisco Human Services Agency to Apply for State Funds Available for Fraud Prevention and Detection in the In-Home Supportive Services Program]

Resolution authorizing Human Services Agency to submit a plan for State funding for In-Home Supportive Services fraud investigations and program integrity efforts pursuant to the California State Budget Act of 2009.
(Human Services Department)

Question: Shall this Resolution be ADOPTED?

3. 091204 [Accept and Expend Grant - San Francisco Port Commission - $5,771,340]

Supervisor Chiu

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $5,771,340 from the California Emergency Management Agency for security enhancements at the Port of San Francisco.

Question: Shall this Resolution be ADOPTED?

4. 091205 [Accept and Expend Grant - Airport Commission - $1,700,000]

Supervisor Chu

Resolution authorizing the Airport Commission to retroactively accept and expend a grant of $1,700,000 from the California Air Resources Board for the acquisition and operation of a hydrogen vehicle fueling station.

Question: Shall this Resolution be ADOPTED?

5. 091206 [Accept and Expend Grant - Airport Commission - $1,399,709.57]

Supervisor Chu

Resolution authorizing the Airport Commission to retroactively accept and expend three (3) grants totaling $1,399,709.57 from the Bay Area Air Quality Management District (Air District) for the retrofit and acquisition of clean air vehicles and infrastructure.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

Consideration of the Mayor's veto pursuant to Charter Section 2.106 of an Ordinance amending the San Francisco Administrative Code by amending Sections 12H.2, 12H.2-1, and 12H.3, concerning the confidentiality of juveniles' immigration status.

6. 091032 **[Confidentiality of Juveniles' Immigration Status]**

Supervisors Campos, Avalos, Chiu, Dufty, Mar, Maxwell, Mirkarimi, Daly

Ordinance amending the San Francisco Administrative Code by amending Sections 12H.2, 12H.2-1, and 12H.3 to allow City law enforcement officers and employees to report information regarding the immigration status of a juvenile to any state or federal agency when the juvenile has been adjudicated to be a ward of the court on the ground of felony conduct, the court makes a finding of probable cause after the District Attorney directly files felony criminal charges against the minor, or the juvenile court determines that the minor is unfit to be tried in juvenile court and the superior court makes a finding of probable cause; and to update references to the federal agency responsible for enforcing federal immigration laws.

(Supervisor Alioto-Pier dissented in committee.)

10/20/2009, PASSED ON FIRST READING.

10/27/2009, FINALLY PASSED.

NOTE: This action requires two-thirds vote. The Board may not amend the ordinance and may only vote in favor or in opposition to the veto override.

The Board of Supervisors must act on the veto override within 30 days of the date of the veto. The Mayor vetoed the Ordinance on October 28, 2009. Therefore, the Board will lose the ability to override the veto unless it votes on the veto override on or before November 27, 2009.

Action:_____

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Chiu

7. 080323 [Place of Entertainment Permits and Board of Appeals Procedures]

Mayor, Supervisors Dufty, Chiu, Campos

Ordinance amending the San Francisco Police Code by amending Sections 2.26, 1060, 1060.1, 1060.2, 1060.3, 1060.5, 1060.24, 1060.25 and 1060.29, by adding Sections 1060.20.1, 1060.20.2, 1060.20.3, 1060.20.4, 1060.24.1, 1060.24.2, 1060.29.1, 1060.30, 1060.31, 1060.32, 1060.33, 1060.34, 1060.35, 1060.36, and 1060.37, by repealing Sections 1060.4, 1060.20, and 1060.22, and by adding new Sections 1060.4 and 1060.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Place of Entertainment Permits and One Night Event Permits (now called "One Time Event Permits"), including changes in penalties, and amending the San Francisco Business and Tax Regulations Code by amending Sections 8 and 26 to provide the time for appealing to the Board of Appeals, to provide an additional category of permit suspension and revocation actions that are not suspended pending a decision by the Board of Appeals, and to clarify the standards governing the review of permits.

10/28/2008, SUBSTITUTED.

2/24/2009, SUBSTITUTED.

11/3/2009, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 080324 [Extended-Hours Premises Permits]

Mayor, Supervisors Dufty, Chiu, Campos

Ordinance amending the San Francisco Police Code by amending Sections 1070, 1070.1, 1070.2, 1070.3, 1070.5, 1070.7, 1070.8, 1070.19, 1070.22, and 1070.24, by adding Sections 1017.17.1, 1017.17.2, 1017,17.3, 1070.28, 1070.29, 1070.30, 1070.31, 1070.32, 1070.33, 1070.34, 1070.35, and 1070.36; by repealing Sections 1070.4, 1070.17, 1070.20, 1070.20-1, 1070.21, and 1070.26; and by adding new Sections 1070.4, 1070.17, and 1070.20, relating to the application, approval, amendment, suspension, revocation, and transfer of Extended-Hours Premises Permits, including changes in penalties.

10/28/2008, SUBSTITUTED.

2/24/2009, SUBSTITUTED.

11/3/2009, PASSED ON FIRST READING AS DIVIDED.

Supervisor Daly moved to divide the question relating to "Sec. 1070.36. Prospective Moratorium on Grant of Extended-Hours Premises Permits" located on Page 41, Line 17, through Page 44, Line 18.

The question relating to "Sec. 1070.36. Prospective Moratorium on Grant of Extended-Hours Premises Permits" PASSED as divided by the following vote:
Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Dufty, Daly, Mirkarimi

9. 091039 **[Prohibiting Onychectomy (Declawing) and Tendonectomy Procedures on Cats]**
Supervisors Mirkarimi, Campos, Avalos, Maxwell, Daly, Dufty
Ordinance amending the San Francisco Health Code by adding Section 45 to prohibit onychectomy (declawing) and tendonectomy procedures on cats except when necessary for a therapeutic purpose.

11/3/2009, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Chu

10. 091217 **[Appropriation Ordinance to Reflect Mayor's State Budget Plan for FY 2009-2010]**
Mayor, Supervisor Avalos
Ordinance appropriating $18,000,000 of an unallocated reduction to State revenues (State Budget Reserve), including $9,589,000 for the Department of Public Health, $9,600,000 for the Human Services Agency, $350,000 for the Sheriff's Department, and $150,000 for the General Fund Reserve; deappropriating $3,448,652 of expenditures in the Department of Public Health consistent with the Mayor's Proposed State Budget Plan; and appropriating and placing $1,759,652 of General City Responsibility General Fund on an appropriated reserve for Fiscal Year 2009-2010.
(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Avalos, Chu, Campos

11. 091246 **[Appropriating $7,057,111 to Restore Positions Effective November 16, 2009, in the Department of Public Health for FY 2009-2010]**
Supervisors Daly, Mirkarimi, Mar, Campos
Ordinance appropriating $7,057,111 in General Fund Reserve to add 322.39 full-time equivalent positions and delete 272.95 full-time equivalent positions effective November 16, 2009, in the Department of Public Health for FY 2009-2010.
(Fiscal Impact.)
(Supervisor Chu dissented in committee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 091247 [Public Employment - Amendment to the Annual Salary Ordinance FY 2009-2010 - Department of Public Health]

Supervisors Daly, Campos

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to add 322.39 FTEs in various job classes and delete 272.95 FTEs in various job classes for 16.3 pay periods (November 16, 2009, through June 30, 2010) in the Department of Public Health.

(Fiscal Impact.)

(Supervisor Chu dissented in commmittee.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 091260 [Payment of Award to John Doe - $10,000]

Supervisor Dufty

Ordinance authorizing payment of a $10,000 reward for supplying information leading to the arrest and conviction of the person(s) responsible for the death of Jaquain Williams.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 091261 [Payment of Award to John Doe - $10,000]

Supervisor Dufty

Ordinance authorizing payment of a $10,000 reward for supplying information leading to the arrest and conviction of the person(s) responsible for the deaths of Jovanie Banks and Michael Hill.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 091185 [Approval to Award a Three-Year Lease for Surface Parking Between the Port of San Francisco and Priority Parking-CA, LLC (Lease No. L-14747)]

Resolution approving a Port Commission Lease with Priority Parking-CA, a California Limited Liability Corporation in the City and County of San Francisco, for certain real property located at SWL 322-I bounded by Front Street and Broadway, SWL 323 bounded by The Embarcadero and Davis Street, SWL 321 bounded by Front Street and Green Street, and SWL 324 bounded by Davis Street, Front Street and The Embarcadero for a term of 3 years.

(Port)

(Supervisor Campos dissented in committee.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

16. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

17. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 18 through 21

18. 091281 **[Condemning Californians for Population Stabilization TV and Radio Ads]**
Supervisors Mar, Campos
Resolution condemning Californians for Population Stabilization (CAPS) TV and Radio Ads.

11/3/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

19. 091282 **[Commending Del Monte for its Commitment to Keep its Headquarters in San Francisco]**
Supervisors Alioto-Pier, Dufty, Maxwell
Resolution commending Del Monte Corporation for its continued commitment to keep its headquarters in San Francisco.

11/3/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

20. 091268 [Final Map - 5156 Planned Development Mission Bay]

Motion approving Final Map No. 5156 Planned Development, Mission Bay, a three (3) lot subdivision, being a merger and re-subdivision of Lot 15 of Assessor's Block 8720, Lot 2 of Assessor's Block 3841, and Lots 19, 20 and 21 of Assessor's Block 8721 as shown on that certain map entitled "FINAL MAP 4141 – PLANNED DEVELOPMENT MISSION BAY (26-28)" recorded on October 16, 2007 in Book BB of Maps, at Pages 179 through 183, filed for record in the office of the Recorder of the City and County of San Francisco, California; and adopting findings pursuant to the General Plan and City Planning Code Section101.1 and the Mission Bay South Redevelopment Plan and Plan Documents.

11/3/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

21. 091277 [Motion to Hold Public Hearing on Adopting a Resolution to Acquire Property by Eminent Domain]

Mayor

Motion directing the Board of Supervisors to hold a public hearing on November 24, 2009, with the Board sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of subsurface tunnel easements in real property in Alameda County and San Mateo County, consisting of portions of Alameda County Assessor's Parcels 537-0551-028, 537-0551-020 and 537-0551-021-01 in the City of Newark, Alameda County Assessor's Parcel 537-0852-002-08 in the City of Fremont, San Mateo County Assessor's Parcels 063-590-060 and 096-230-110 in the City of Menlo Park, and in real property owned by San Mateo County Transit District in the City of Menlo Park, located east of University Avenue between Assessor's Parcels 093 600-010 and 063-590-060, by eminent domain, for the public purpose of constructing the Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

11/3/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

22. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 27, 2009, to November 2, 2009, for reference by President to appropriate committee on November 10, 2009.

091264 **[Settlement of Lawsuits - Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox - $217,000.00]**
Ordinance authorizing settlement of two lawsuits, which were filed by Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox against the City and County of San Francisco and its employees for a total amount of $217,000.00; the first lawsuit was filed on January 14, 2005, in the United States District Court for the Northern District of California, Case No. C05-0280 VRW/WAF, entitled Earnest Henderson, et al., v. City and County of San Francisco, et al.; the second lawsuit was filed on October 18, 2005, in the United States District Court for the Northern District of California, Case No. C05-4220 VRW; entitled Mack Woodfox v. City and County of San Francisco, et al.; the above total settlement amount also includes all claims for costs and attorneys' fees.
(City Attorney)

10/27/2009, RECEIVED AND ASSIGNED to Rules Committee.

091265 **[Settlement of Lawsuits - Joanne Lozenski, Juanita Stockwell, and Susan Rolovich - $95,000.00]**
Ordinance authorizing settlement of the lawsuit filed by Joanne Lozenski, Juanita Stockwell, and Susan Rolovich against the City and County of San Francisco, Alex Fagan, and Rod Nakanishi for $95,000.00; the lawsuit was filed on December 14, 2004, in San Francisco Superior Court, Case No. 04-436254; entitled Lozenski, et al., v. City and County of San Francisco, et al.
(City Attorney)

10/27/2009, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 27, 2009, to November 2, 2009, for reference by President to appropriate committee on November 10, 2009.

091266 **[Prevailing Wages for Workers on Public Works/Improvement Projects, Janitorial Services, Public Off-Street Parking Lots, Garages, or Auto Storage Facilities, Theatrical Services, Moving Services and Hauling Solid Waste]**

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City.
(Civil Service Commission)

10/30/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091267 **[Lease of Property at 3801 Third Street]**

Resolution approving a Lease at Bayview Plaza, 3801 Third Street, at Evans Street, for the Human Services Agency Under Administrative Code Section 23.27.
(Real Estate Department)

11/2/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091283 [Petitions and Communications]

Petitions and Communications received from October 27, 2009, through November 2, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 10, 2009.

From Office of the Mayor, submitting letter vetoing proposed legislation regarding the "Confidentiality of Juveniles' Immigration Status" an amendment to the Sanctuary Ordinance. File No. 091032, Copy: Each Supervisor (1)

From Supervisor David Campos, submitting copy of letter sent to Mayor Newsom regarding his veto of legislation concerning the "Confidentiality of Juveniles' Immigration Status" amendment to the Sanctuary Ordinance; and extending a formal invitation to Mayor Newsom to debate the matter publicly. File No. 091032, Copy: Each Supervisor, City Attorney (2)

From Supervisor Eric Mar, submitting copy of letter sent to Mayor Newsom regarding his veto of legislation concerning the "Confidentiality of Juveniles' Immigration Status" amendment to the Sanctuary Ordinance. File No. 091032, Copy: Each Supervisor, City Attorney (3)

From Human Services Agency, submitting the interim plan to coordinate all foster care placement improvement plans among the Juvenile Probation Department, Department of Public Health, and the Human Services Agency for children and youth in need of high-end residential treatment. Copy: Each Supervisor (4)

From Clerk of the Board, submitting Form 700 Statement of Economic Interest for Jennifer Stuart, Legislative Aide to Supervisor Alioto-Pier, leaving. (5)

From the Airport, submitting request for release of reserved funds for workforce development in the amount of $1,000,000. (6)

From State Office of Historic Preservation, submitting notice that the Tobin House was placed on the National Register of Historic Places, this property has also been listed in the California Register of Historical Resources, pursuant to Section 4851(a) (2) of the Public Resources Code. Copy: Each Supervisor (7)

From Office of the Controller, submitting report concerning the review of franchise fee payments Pacific Gas and Electric Company made to the City and County of San Francisco to use its streets to transmit, distribute, and supply electricity and gas within the City. (8)

From Office of the Controller, submitting report concerning the audit of DFS Group, L.P. DFS has a ten year agreement through December 2010 with the Airport Commission. (9)

From Department of Public Works, submitting the "2000 Branch Library Improvement Bond Quarterly Report" for the third quarter of 2009 (July through September). (10)

From T-Mobile, submitting a notification letter regarding placement of cellular antennas at 959 Peralta Avenue. (11)

From concerned citizens, regarding the "Confidentiality of Juveniles' Immigration Status" an amendment to the Sanctuary Ordinance. File No. 091032, 7 letters (12)

From concerned citizens, submitting support for the expansion of Redwood Park to 555 Washington Street. 10 letters (13)

From Office of the Controller, submitting the annual year-end performance measure report for FY 2008-2009. (14)

From Department of Public Works, regarding status of removing graffiti from garbage cans and mailboxes located at various locations in District 5. (Reference No. 20090922-002) (15)

From Department of Public Works, regarding status of removing graffiti from metal and wood poles located at various locations in District 5. (Reference No. 20090922-004) (16)

From Department of Public Works, regarding status of removing graffiti from utility and emergency boxes located at various locations in District 5. (Reference No. 20090922-005) (17)

From Planning Department, regarding notice of environmental review for the Auxiliary Water Supply System Seismic Upgrade. (18)

From Arthur Evans, regarding Supervisor Campos and Mayor Newsom and the "Confidentiality of Juveniles' Immigration Status" an amendment to the Sanctuary Ordinance. File No. 091032 (19)

From Aaron Goodman, submitting request for a public hearing on District 7 and future transit plans of Parkmerced and the San Francisco Municipal Transportation Agency. (20)

From Aaron Goodman, submitting support proposed legislation concerning just cause eviction protections for residential tenants, extend to non-rent controlled units. File No. 090583 (21)

From Francisco Da Costa, regarding Mayor Newsom and the Lennar Corporation. (22)

From Graham Raithel, commenting that the City and County of San Francisco has so much money invested in enforcing parking laws while not addressing quality of life issues for people who work and live here. Copy: Supervisor Daly (23)

From Richard Petersen, urging the Mayor and the Board of Supervisors to reconsider closing the Park Branch Library. (24)

From Brandon, regarding crime in the Bayview District. (25)

From Eric Brooks, regarding CleanPowerSF. File No. 091161 (26)

From Janie Bray, regarding the ban on plastic bags in San Francisco. (27)

From Adele Framer, regarding take-out cartons and recycling in San Francisco. (28)

From Joyce Hammond, regarding the Mission SRO Collaborative and the American Red Cross workshop on how to protect yourself in case of a disaster. (29)

From Frank Price, regarding the forced closure of a Synagogue in Indonesia. (30)

From Glenn Riddell, commenting on the Board of Supervisors priorities. (31)

From Denise Hoover, regarding proposed legislation prohibiting onychectomy (declawing) and tendonectomy procedures on cats. File No. 091039 (32)

From concerned citizens, regarding Civil Service clerical positions. 3 letters (33)

From Department of Public Health, submitting the annual 2009 Title XV evaluation reports on detention facilities. (34)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

NOV 13 2009

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 17, 2009 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

The agenda packet and legislative files (which contain documents submitted after the distribution of the agenda packet) are available at the Board of Supervisors, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Agendas are available on the Internet at www.sfgov.org/site/bos_meetings For information, call (415) 554-5184.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the 5, 6, 7, 9, 21, 47, 49, 71, 71L, F, J, K, L, M, N, T (exit at Van Ness Station). For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

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Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the third regularly scheduled Board meeting of every month)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 19

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Chu, Campos

1. **091260** **[Payment of Award to John Doe - $10,000]**
Supervisor Dufty
Ordinance authorizing payment of a $10,000 reward for supplying information leading to the arrest and conviction of the person(s) responsible for the death of Jaquain Williams.
(Fiscal Impact.)

11/10/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. **091261** **[Payment of Award to John Doe - $10,000]**
Supervisor Dufty
Ordinance authorizing payment of a $10,000 reward for supplying information leading to the arrest and conviction of the person(s) responsible for the deaths of Jovanie Banks and Michael Hill.
(Fiscal Impact.)

11/10/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Chu

3. **091217** **[Appropriation Ordinance to Reflect Mayor's State Budget Plan for FY 2009-2010]**
Mayor, Supervisor Avalos
Ordinance appropriating $18,000,000 of an unallocated reduction to State revenues (State Budget Reserve), including $9,589,000 for the Department of Public Health, $9,600,000 for the Human Services Agency, $350,000 for the Sheriff's Department, and $150,000 for the General Fund Reserve; deappropriating $3,448,652 of expenditures in the Department of Public Health consistent with the Mayor's Proposed State Budget Plan; and appropriating and placing $1,759,652 of General City Responsibility General Fund on an appropriated reserve for FY 2009-2010.
(Fiscal Impact.)

11/10/2009, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Elsbernd

4. **091232** **[Approval of the Ryan White HIV Emergency Relief Grant Program Application]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to submit an application to continue to receive funding for the "HIV Emergency Relief Programs (Ryan White Programs, Part A)" grant from the Health Resources Services Administration (HRSA), requesting $36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area (EMA); from March 1, 2010, through February 28, 2011.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

5. 091236 **[Approval of Contract for Personal Assisted Employment Services Program for the Department of Public Health]**

Supervisor Mar

Resolution authorizing the San Francisco Department of Public Health to enter into a contract with Richmond Area Multi-Services, Inc., to provide mental health services through the Personally Assisted Employment Services program for the term of January 1, 2010, through June 30, 2016.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

6. 091013 **[Application of City's Conflict of Interest Laws to City Officers]**

Supervisor Elsbernd

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by amending sections 3.222 and 3.224 to clarify the application of prohibitions to City officers, and by adding sections 3.201 and 3.203 to name the Government Ethics Ordinance, to permit waiver of contracting prohibition, and to define "officer."

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 091075 **[Settlement of Lawsuit - Bernard and Mildred Bolton - $650,000]**

Ordinance authorizing settlement of the lawsuit filed by Bernard and Mildred Bolton against the City and County of San Francisco for $650,000; the lawsuit was filed on October 15, 2008, in San Francisco Superior Court, Case No. 480-896; entitled Bernard and Mildred Bolton, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 091080 **[Settlement of Lawsuit - Duncan Briggs - $65,000]**

Ordinance authorizing settlement of the lawsuit filed by Duncan Briggs against the City and County of San Francisco for $65,000; the lawsuit was filed on August 19, 2008, in San Francisco Superior Court, Case No. 478-836; entitled Duncan Briggs, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 091086 **[Settlement of Lawsuit - Jeanne Schoenstein - $225,000]**

Ordinance authorizing settlement of the lawsuit filed by Jeanne Schoenstein against the City and County of San Francisco and Marcelo Samame for $225,000 inclusive of attorneys' fees and costs; the lawsuit was filed on July 14, 2008, in San Francisco Superior Court, Case No. CGC-08-477472; entitled Schoenstein, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 091186 [Settlement of Lawsuit - Gavin Smith - $55,000]

Ordinance authorizing settlement of the lawsuit filed by Gavin Smith against the City and County of San Francisco for $55,000; the lawsuit was filed on April 29, 2009, in San Francisco Superior Court, Case No. CGC-09-487887; entitled Gavin Smith v. City and County of San Francisco.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 090998 [Settlement of Eminent Domain Lawsuit - Pacific Gas and Electric Company - $112,000]

Ordinance authorizing settlement of the eminent domain lawsuit filed by Pacific Gas and Electric Company against the City and County of San Francisco et al., San Mateo Superior Court, Case No.449100; entitled Pacific Gas and Electric v. City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation contained in Board of Supervisors' File No. 090998.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 091129 [Appointment, Entertainment Commission - Neal Cavellini]

Motion appointing Neal Cavellini, term ending July 1, 2013, to the Entertainment Commission.

Neal Cavellini, succeeding Erik Joseph Pred, seat 3, term expired, shall represent the interests of the public health community, for the unexpired portion of a four-year term ending July 1, 2013.

Question: Shall this Motion be APPROVED?

13. 091194 [Appointment, Entertainment Commission - Al Perez]

Motion approving the Mayor's nomination for appointment of Al Perez to the Entertainment Commission, for the unexpired portion of a four-year term ending July 1, 2013.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

14. 091223 [Appointment, Immigrant Rights Commission - Angus McCarthy]

Motion appointing Angus McCarthy, term ending June 6, 2011, to the Immigrant Rights Commission.

Question: Shall this Motion be APPROVED?

15. 091226 [Appointments, Pedestrian Safety Advisory Committee - Dahianna Lopez, Paul Supawanich, and Jay Lee]

Motion appointing Dahianna Lopez and Paul Supawanich, terms ending March 28, 2010, and Jay Lee, term ending March 28, 2011, to the Pedestrian Safety Advisory Committee.

Question: Shall this Motion be APPROVED?

16. 091227 [Appointment, Local Homeless Coordinating Board - Laura Guzman]

Motion appointing Laura Guzman, term ending October 21, 2011, to the Local Homeless Coordinating Board.

Question: Shall this Motion be APPROVED?

17 091229 **[Appointment, Sweatfree Procurement Advisory Group - Julienne Fisher]**
Motion appointing Julienne Fisher, term ending December 17, 2011, to the Sweatfree Procurement Advisory Board.

Question: Shall this Motion be APPROVED?

18 091234 **[Appointment, Veterans Affairs Commission - Stephen Noetzel]**
Motion appointing Stephen Noetzel, term ending January 31, 2011, to the Veterans Affairs Commission.

Question: Shall this Motion be APPROVED?

19 091235 **[Appointment, Child Care Planning and Advisory Council - Simon Lee]**
Motion appointing Simon Lee, term ending December 31, 2011, to the Child Care Planning and Advisory Council.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated.

REGULAR AGENDA

NEW BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Daly, Elsbernd

20. 091122 **[Liquor License Transfer - 1221 Polk Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 1092 Post Street to 1221 Polk Street (District 3), to Steven Black for Lush Lounge Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.
(Supervisor Daly dissented in committee.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Mar, Avalos

21. 091242 **[Urging the Navy to Immediately Reinstate the Hunters Point Shipyard Restoration Advisory Board]**
Supervisors Avalos, Mar
Resolution urging the United States Navy to immediately reinstate the Hunters Point Shipyard Restoration Advisory Board of the Hunters Point Shipyard.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

22. 081509 **[Summary Vacation of a Portion of Channel Street Between 7th Street and Carolina Street and Exchange of Property]**
Supervisor Maxwell
Ordinance ordering the summary vacation of a portion of Channel Street between 7th Street and Carolina Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; authorizing the exchange of such vacated City property with a new lot created in Record of Survey No. 4778, owned by Recology Properties, Inc.; adopting environmental findings and findings that the vacation and exchange are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing actions in furtherance of the ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 090678 **[Bayview Hunters Point Area Plan, Technical Zoning Map Amendments]**
Ordinance amending Zoning Map Sheets ZN08, ZN10, and SU10 of the City and County of San Francisco Planning Code with revised use districts within the Bayview Hunters Point Plan Area; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 090388 **[Zoning - Establishing the 1500 Page Street Residential Care Special Use District]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Planning Code by adding Sections 249.41 and 263.22 to establish the 1500 Page Street Residential Care Special Use District (SUD), encompassing the real property located at 1500 Page Street (Assessor's Block 1223, Lot 004), to permit the expansion of a building used for residential care; and adopting General Plan, Planning Code and environmental findings.
(Planning Commission)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 091093 **[Approving Zoning Map Amendments in Connection with the 1500 Page Street Residential Care Special Use District]**
Ordinance amending Section Maps 6H and 6SU of the Zoning Maps of the City and County of San Francisco for the real property located at 1500 Page Street (Assessor's Block 1223, Lot 004) at the northwest corner of Masonic Avenue and Page Street, to reclassify the property from a 40-X Height and Bulk District to a 55-X Height and Bulk District, and to map the 1500 Page Street Residential Care Special Use District in order to permit the expansion of an existing building used for residential care and other considerations; and adopting General Plan, Planning Code and environmental findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

26. 091241 **[Veterans Affairs Commission to Expand Membership and Establish Residency Requirement]**
Supervisor Alioto-Pier
Ordinance amending Administrative Code Section 5.102 to expand the number of members from 15 to 17 and establish a requirement that members reside in the City and County of San Francisco.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 091128 **[Appointment, Police Commission - James Hammer]**
Motion confirming the Rules Committee's nomination of, and appointing, James Hammer, term ending April 30, 2011, to the San Francisco Police Commission.

Question: Shall this Motion be APPROVED?

28. **091262** **[Appointments, California State Association of Counties - Supervisors Mar and Avalos (Alternate)]**

Motion appointing Supervisors Eric Mar and John Avalos (as an alternate member), terms ending November 28, 2010, to the California State Association of Counties.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

29. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

30. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. Rules of Order Section 3.11 provides that a unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 31 through 36

31. **091292** **[Commending Northern Station Police Captain Al Casicato]**

Supervisors Alioto-Pier, Mirkarimi, Avalos

Resolution Commending Captain Al Casciato for his contributions to the City and County of San Francisco, and his dedicated service as Captain of the Police Department's Northern Station.

11/9/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 091293 **[Approval of a 30-Day Extension for Planning Commission Review]**

Supervisor Alioto-Pier

Resolution extending by 30-days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Section 303(i) to require new applicants of formula retail establishments to appoint a community liaison, and making findings of consistency with the priority policies of the Planning Code Section 101.1, and environmental findings.

11/9/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

33. 091299 **[Extending the Single Room Occupancy Task Force to December 31, 2012]**

Supervisors Dufty, Campos, Chiu, Daly

Resolution amending the Single Room Occupancy Task Force to extend it three (3) years beyond the current sunset date of December 31, 2009, to December 31, 2012, and increasing its membership by one (1) member to fourteen (14) to include one (1) additional tenant representative: nine (9) members appointed by the Board of Supervisors; four (4) appointed by designated department heads; and one (1) chair appointed by the Director of Health.

11/10/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 091301 **[Approval of a Three (3) Month Extension for Planning]**

Supervisor Elsbernd

Resolution extending by three (3) months the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Section 729 to add new Sub-section 729.52A and adding new Section 790.115 to require conditional use authorization in the West Portal Avenue Neighborhood Commercial District for certain personal service nail salons, as defined; and making findings of consistency with the General Plan, the priority policies of the Planning Code Section 101.1, and envionmental findings.

11/10/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 091304 **[Endorsement of World March for Peace and Nonviolence]**

Supervisor Mar

Resolution endorsing the first World March for Peace and Nonviolence, calling for the end of war and nuclear arms, and the elimination of violence of all kinds.

11/10/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 091319 [Commending Linda Laws and Declaring November 20, 2009, "Linda Laws Day"]

Supervisor Maxwell

Resolution commending Linda Laws on the occasion of her retirement from the Office of the Clerk of the Board of Supervisors after 20 years of service to the City and County of San Francisco and declaring November 20, 2009, "Linda Laws Day."

11/10/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING to Board of Supervisors.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

37. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from November 3, 2009, to November 9, 2009, for reference by President to appropriate committee on November 17, 2009

091284 **[Mission Bay - Park P21 Improvements]**

Ordinance designating a portion of State Trust Parcel 5 East of future Terry A. Francois Boulevard at future Mission Bay Boulevard for public open space and park purposes; naming the new park "Bayfront Park"; accepting and irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 178,379 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

11/5/2009, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091289 **[Settlement of Lawsuits - David Spears and Sabrina Wigfall - $97,500]**

Ordinance authorizing settlement of the lawsuits filed by David Spears and Sabrin Wigfall against the City and County of San Francisco and Kyle Adams against the City and County of San Francisco for $97,500; the lawsuits were filed on February 6, 2004 and August 1, 2008, in the United States District Court for the Northern District of California, Case Nos. 06-cv-04968 VRW and 08-vc-03696 PJH; entitled David Spears and Sabrina Wigfall v. City and County of San Francisco, et al. and Kyle Adams v. City and County of San Francisco, et al.
(City Attorney)

11/5/2009, RECEIVED AND ASSIGNED to Rules Committee.

091290 **[Settlement of Lawsuit - Lisa Anne Haller - $230,000]**

Ordinance authorizing settlement of the lawsuit filed by Lisa Anne Haller against the City and County of San Francisco for $230,000; the lawsuit was filed on March 20, 2007, in San Francisco Superior Court, Case No. 461-498; entitled Lisa Anne Haller, et al. v. City and County of San Francisco, et al.
(City Attorney)

11/5/2009, RECEIVED AND ASSIGNED to Rules Committee.

091291 **[Settlement of Lawsuit - City and County of San Francisco - $1,260,000]**

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against the Design Partnership and Del Campo and Maru, Joint Association of Architects, for (a) 1,260,000 payable to the City and County of San Francisco and (b) mutual releases; the lawsuit was filed on March 20, 2009, in San Francisco Superior Court, Case No. 09-486423; entitled City and County of San Francisco v. The Design Partnership and Del Campo and Maru, Joint Association of Architects.
(City Attorney)

11/5/2009, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 3, 2009, to November 9, 2009, for reference by President to appropriate committee on November 17, 2009.

091285 **[Amendment to Agreement with Owens Information Systems to Extend the Term]**
Resolution authorizing the Department of Technology to enter into the Eighth Amendment of an agreement with Owens Information Systems to extend the term of the agreement to fifteen years.
(Department of Technology)

11/9/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091286 **[Approval of Second Amendment to the Redevelopment Agency's Ground Lease within Mission Bay North and South Redevelopment Plans]**
Resolution approving the Second Amendment to the San Francisco Redevelopment Agency's Ground Lease to add certain additional real property within the Mission Bay South Redevelopment Plan Area to the leased premises and to clarify certain maintenance oibligations.
(Public Works Department)

11/5/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091287 **[Tenderloin Housing Clinic Contract Approval - $82,286,121]**
Resolution approving the contract between the City and County of San Francisco and the Tenderloin Housing Clinic to provide master-leased housing for formerly homeless single adults to the Human Services Agency for the period of January 1, 2010, to June 30, 2015, in the amount of $82,286,121.
(Human Services Department)

11/9/2009, RECEIVED AND ASSIGNED to Budget and Finance Committee.

091288 **[Approval of CEQA Findings for SFPUC Harding Park Recycled Water Project]**
Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation and reporting program and a statement of overriding considerations related to the Harding Park Recycled Water Project, Water System Improvement Program funded Project No. CUW 30204; and directing the Clerk of the Board of Supervisors to notify the Controller of this action.
(Public Utilities Commission)

11/9/2009, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

091308 **[Petitions and Communications]**

Petitions and Communications received from November 3, 2009, through November 9, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 17, 2009.

From Office of Labor Standards Enforcement, submitting notice that the Office of Labor Standards Enforcement has joined the Sweatfree Purchasing Consortium effective November 3, 2009. Copy: Each Supervisor. (1)

From Office of the Controller, submitting an audit report concerning Japan Airlines Company. Japan Airlines has an airline lease and use agreement from the Airport Commission to use the landing facilities at SF International Airport for its air transportation business. (2)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from 8:49 a.m., November 3, 2009, until 11:59 p.m., November 8, 2009. Supervisor Carmen Chu will serve as Acting Mayor. Copy: Each Supervisor, City Attorney. (3)

From Department of Public Works, submitting quarterly report of the Department of Public Works Adopt-A-Tree account for the period July 1, 2009, through September 30, 2009. (4)

From Department of Public Works, submitting quarterly report of the Department of Public Works Defective Sidewalk Repair Revolving account for the period July 1, 2009, through September 30, 2009. (5)

From Department of Public Health, submitting the Charity Care Report for FY 2008. (6)

From the Sweatfree Procurement Advisory Group, submitting copy of letter sent to the Office of Contracts Administration regarding officially recommending to the Board of Supervisors that textiles and related items be the next category of goods to be covered under the Sweatfree Contracting ordinance. (7)

From Department of Elections, regarding emergency planning for the November 3, 2009, Municipal Election. (8)

From Office of the Controller, submitting an audit report concerning Southwest Airlines. Southwest Airlines has an airline lease and use agreement from the Airport Commission to use the landing facilities at SF International Airport for its air transportation business. (9)

From Department of Public Works, regarding the Bond Accountability Report and Second Bond Sale. (10)

From Department of Human Services, submitting resolution on behalf of the Long-Term Care Coordinating Council responding to the current crisis in home and community based long-term services and support in San Francisco. (11)

From T-Mobile, submitting notification letter regarding placement of three cellular site antennas at 1897-22nd Street. (12)

From State Fish and Game Commission, submitting notice of proposed emergency regulatory action relating to the incidental take of California tiger salamander. (13)

From Office of the Controller, submitting the annual report for the Whistleblower Program for FY 2008-2009. (14)

From Golden Gate University School of Law, Student Animal Legal Defense Fund, proposing a ban

on shark products in San Francisco. (15)

From James Corrigan, regarding parking privileges for San Francisco Firefighters. (16)

From concerned citizens, submitting support for proposed solutions to avoid the lay-offs of City employees. 4 letters (17)

From students at San Francisco Community School, urging the Board of Supervisors to find money in the budget to keep their school secretary. 11 letters (18)

From Wayne Chubin, urging the Board of Supervisors to find money in the budget to keep their school secretary at Longfellow and other schools. (19)

From Darien Werfhorst, protesting the displacement of the Cantonese bilingual secretary at Monroe Elementary School. (20)

From concerned citizens, submitting support for the expansion of Redwood Park to 555 Washington Street. 14 letters (21)

From SF Public Golf Alliance, calling for an independent investigation of Nancy Wuerfel's allegations of irregularities in golf fund accounting. (22)

From Brian Lee, regarding the recent proposals to change the planning and permit process at the Planning Department. (23)

From Frankl Duhl, urging the Board of Supervisors not to lay-off any clerical staff at San Francisco City College or San Francisco Unified School District. (24)

From Chuck Fulton, submitting support for proposed legislation regarding banning smoking in more public areas. (25)

From Marilyn Russ, regarding Mayor Newsom. (26)

From Dr. Ahimsa Sumchai, regarding establishing West Portal Community Benefit Business District and the air quality at the Hunters Point Shipyard. (27)

From Neil Signo, regarding the hotel strike in San Francisco. (28)

From Bernard Marque, submitting opposition to expanding the days and hours for parking meters in San Francisco. (29)

From Ed Devine, regarding the proposed changes to the No. 18 Muni bus route. (30)

From Dr. Ahimsa Sumchai, regarding the Center of Disease Control seasonal influenza summary update report. (31)

From concerned citizens, regarding Sharp Park Golf Course. 2 letters (32)

From Jeff Miller, submitting letter on behalf of 25 Bay Area conservation organizations requesting an extension of the comment period for the Calvareras Dam Replacement Project . Copy: Each Supervisor (33)

From Jason Lunberg, submitting support for the appointment of David Waggoner as member to the Police Commission. (34)

From Michael Burlacu, regarding H1N1. (35)

From Charles J. Vella, Ph.D., regarding public health budget. (36)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

GOVERNMENT
DOCUMENTS DEPT

NOV 16 2009

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, November 17, 2009 2:05 PM

Special Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU,
CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR,
SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Commissioners Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL

COMMUNICATIONS

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Budget and Finance Committee at a Special Meeting on Tuesday, November 17, 2009, at 12:25 p.m. The Chair intends to request the Committee to send the following items to the Board as committee reports on Tuesday, November 17, 2009.

Pursuant to Charter Section 9.113(c) the following File No. 091246 requires a vote of two-thirds of all members of the Board of Supervisors to approve such a supplemental appropriation.

1. 091246 **[Appropriating $7,057,111 to Restore Positions Effective November 16, 2009, in the Department of Public Health for FY 2009-2010]**

Supervisors Daly, Mirkarimi, Mar, Campos

Ordinance appropriating $7,057,111 in General Fund Reserve to add 322.39 full-time equivalent positions and delete 272.95 full-time equivalent positions effective November 16, 2009, in the Department of Public Health for FY 2009-2010.

(Fiscal Impact.)

(Supervisor Chu dissented in committee.)

11/10/2009, RE-REFERRED to Budget and Finance Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. 091247 **[Public Employment - Amendment to the Annual Salary Ordinance FY 2009-2010 - Department of Public Health]**

Supervisors Daly, Campos

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to add 322.39 FTEs in various job classes and delete 272.95 FTEs in various job classes for 16.3 pay periods (November 16, 2009, through June 30, 2010) in the Department of Public Health.

(Fiscal Impact.)

(Supervisor Chu dissented in committee.)

11/10/2009, RE-REFERRED to Budget and Finance Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

3. 091202 **[Appropriating $896,621 in Salaries and Fringe Benefits for the San Francisco General Hospital in the Department of Public Health for FY 2009-2010]**

Supervisors Avalos, Mirkarimi, Campos, Mar

Ordinance appropriating $896,621 in General Fund Reserve, including $617,008 to support the cost of deleting eighty-eight (88) Patient Care Assistant Positions (Job Classification 2303) and adding 88 Certified Nursing Assistant Positions (Job Classification 2302) and $279,613 to support the cost of deleting fifty-three (53) Senior Clerks and adding 53 Unit Clerks, effective January 1, 2010, at San Francisco General Hospital in the Department of Public Health for FY 2009-2010.

(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 091203 **[Public Employment - Delete 88 Patient Care Assistants, Add 88 Nursing Assistants, Delete 53 Senior Clerks, and Add 53 Unit Clerks, in the Department of Public Health at San Francisco General Hospital]**

Supervisors Avalos, Mirkarimi, Mar

Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to reflect the deletion of 39.75 FTEs (88.00 positions) Patient Care Assistants and addition of 39.75 FTEs (88.00 positions) Certified Nursing Assistants, and reflect the deletion of 26.60 FTEs (53.00 FTEs) Senior Clerks and addition of 26.60 FTEs (53.00 FTEs) Unit Clerks for 13.1 pay periods (January 1, 2010, through June 30, 2010) at San Francisco General Hospital in the Department of Public Health.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 091297 **[Expressing the Commitment of the Board of Supervisors to Refund the General Fund Reserve with Revenue from Assembly Bills 1383 and 188]**

Supervisors Chiu, Dufty, Daly

Resolution expressing the commitment of the Board of Supervisors to backfill reductions in the General Fund Reserve with revenues from Assembly Bills 1383 and 188.

Question: Shall this Resolution be ADOPTED?

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

F
90
.B2
11/24/09

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, November 24, 2009 - 2:00 PM

Regular Meeting

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MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

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Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

1. 081509 **[Summary Vacation of a Portion of Channel Street Between 7th Street and Carolina Street and Exchange of Property]**
Sponsor: Maxwell
Ordinance ordering the summary vacation of a portion of Channel Street between 7th Street and Carolina Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; authorizing the exchange of such vacated City property with a new lot created in Record of Survey No. 4778, owned by Recology Properties, Inc.; adopting environmental findings and findings that the vacation and exchange are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing actions in furtherance of the ordinance.

11/17/2009, PASSED, ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

2. 090388 [Zoning - Establishing the 1500 Page Street Residential Care Special Use District]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Planning Code by adding Sections 249.41 and 263.22 to establish the 1500 Page Street Residential Care Special Use District (SUD), encompassing the real property located at 1500 Page Street (Assessor's Block 1223, Lot 004), to permit the expansion of a building used for residential care; and adopting General Plan, Planning Code and environmental findings. (Planning Commission)

11/17/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 091093 [Approving Zoning Map Amendments in Connection with the 1500 Page Street Residential Care Special Use District]
Sponsor: Mirkarimi
Ordinance amending Section Maps 6H and 6SU of the Zoning Maps of the City and County of San Francisco for the real property located at 1500 Page Street (Assessor's Block 1223, Lot 004) at the northwest corner of Masonic Avenue and Page Street, to reclassify the property from a 40-X Height and Bulk District to a 55-X Height and Bulk District, and to map the 1500 Page Street Residential Care Special Use District in order to permit the expansion of an existing building used for residential care and other considerations; and adopting General Plan, Planning Code and environmental findings. (Planning Department)

11/17/2009; PASSED, ON FIRST READING. Supervisor Mirkarimi requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Alioto-Pier

4. 091244 [Accept and Expend Grant - San Francisco Elder Abuse Project - $300,000]
Sponsor: Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $300,000 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "San Francisco Elder Abuse Project" for FY July 2009 through June 2012.

Question: Shall this Resolution be ADOPTED?

5. 091245 [Accept and Expend Grant - Center for Academic Re-entry for Truant Students - $238,000]
Sponsor: Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $238,000 through the United States Department of Education, for a program entitled "Center for Academic Re-Entry Expansion Project for Truant Students" for the period from August 24, 2009, through August 31, 2011.

Question: Shall this Resolution be ADOPTED?

6. 091253 **[Accept and Expend Grant - H1N1 Swine Flu Information and Guidance Team - $180,000]**
Sponsor: Mayor
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $180,000 from the Metta Fund to support the Swine Flu Information and Guidance Team; for the period of October 6, 2009, through October 5, 2010.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

7. 090998 **[Settlement of Eminent Domain Lawsuit - Pacific Gas and Electric Company - $112,000]**
Ordinance authorizing settlement of the eminent domain lawsuit filed by Pacific Gas and Electric Company against the City and County of San Francisco et al., San Mateo Superior Court, Case No.449100; entitled Pacific Gas and Electric v. City and County of San Francisco, et al.; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation contained in Board of Supervisors' File No. 090998. (City Attorney)

11/17/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 091013 **[Application of City's Conflict of Interest Laws to City Officers]**
Sponsor: Elsbernd
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by amending sections 3.222 and 3.224 to clarify the application of prohibitions to City officers, and by adding sections 3.201 and 3.203 to name the Government Ethics Ordinance, to permit waiver of contracting prohibition, and to define "officer."

11/17/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 091075 **[Settlement of Lawsuit - Bernard and Mildred Bolton - $650,000]**
Ordinance authorizing settlement of the lawsuit filed by Bernard and Mildred Bolton against the City and County of San Francisco for $650,000; the lawsuit was filed on October 15, 2008, in San Francisco Superior Court, Case No. 480-896; entitled Bernard and Mildred Bolton, et al., v. City and County of San Francisco, et al. (City Attorney)

11/17/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 091080 [Settlement of Lawsuit - Duncan Briggs - $65,000]
Ordinance authorizing settlement of the lawsuit filed by Duncan Briggs against the City and County of San Francisco for $65,000; the lawsuit was filed on August 19, 2008, in San Francisco Superior Court, Case No. 478-836; entitled Duncan Briggs, et al. v. City and County of San Francisco, et al. (City Attorney)

11/17/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 091086 [Settlement of Lawsuit - Jeanne Schoenstein - $225,000]
Ordinance authorizing settlement of the lawsuit filed by Jeanne Schoenstein against the City and County of San Francisco and Marcelo Samame for $225,000.00, inclusive of attorneys' fees and costs; the lawsuit was filed on July 14, 2008, in San Francisco Superior Court, Case No. CGC-08-477472; entitled Schoenstein, et al., v. City and County of San Francisco, et al. (City Attorney)

11/17/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 091186 [Settlement of Lawsuit - Gavin Smith - $55,000]
Ordinance authorizing settlement of the lawsuit filed by Gavin Smith against the City and County of San Francisco for $55,000; the lawsuit was filed on April 29, 2009, in San Francisco Superior Court, Case No. CGC-09-487887; entitled Gavin Smith v. City and County of San Francisco. (City Attorney)

11/17/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 091241 [Veterans Affairs Commission to Expand Membership and Establish Residency Requirement]
Sponsor: Alioto-Pier
Ordinance amending Administrative Code Section 5.102 to expand the number of members from 15 to 17 and establish a requirement that members reside in the City and County of San Francisco.

11/17/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Chu

14. 091212 **[Amendment to the FY 2009-2010 Redevelopment Agency Budget]**
Sponsors: Mayor; Avalos
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for FY 2009-2010 to (1) authorize the expenditure in an amount not to exceed $28,700,000 for payment to the Educational Revenue Augmentation Fund; (2) authorize an increase in expenditures in an amount not to exceed $156,000 for additional grant reimbursements from the U.S. Department of Commerce, Economic Development Administration (EDA); and (3) authorize an increase in expenditures in an amount not to exceed $1,033,417 for additional Housing Opportunities for Persons with AIDS (HOPWA) funding.

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

15. 091272 **[Port Commission Revenue Bond Law]**
Sponsor: Mayor
Ordinance amending the San Francisco Administrative Code by adding Chapter 43, Article XII, Sections 43.12.1 through 43.12.8, to authorize the issuance of revenue bonds by the Port Commission.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 091273 **[Port Commission Revenue Bonds not to exceed $45,000,000]**
Sponsor: Mayor
Resolution authorizing the issuance of up to $45,000,000 aggregate principal amount of Port revenue bonds for the purpose of financing certain capital improvements related to the Port; approving the forms of documents relating thereto; approving the maximum interest thereon; and related matters.

Question: Shall this Resolution be ADOPTED?

17. 091274 **[Appropriating $33,395,571 of Port Revenue Bond Proceeds for Pier Repairs and Renovations at the Port of San Francisco for FY 2009-2010]**
Sponsor: Mayor
Ordinance appropriating $33,395,571 of bond revenue for the Port of San Francisco to make repairs and renovations to Piers 35, 33, 19 or 23, 27, and 50 for FY 2009-2010, and placing $33,395,571 on Controller's reserve pending sale of bonds.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Avalos, Mirkarimi, Chu

18. 090832 [Approval of Surface Mining Permit 30 Sunol Valley Quarry Lease]
Resolution authorizing the General Manager of the Public Utilities Commission to enter into a quarry lease for a 308.5 acre parcel located in unincorporated Alameda County in the Sunol Valley with Oliver de Silva, Inc., as tenant, through June 1, 2021, pursuant to San Francisco Charter Section 9.118, with rights to extend the term for two years to complete reclamation and with potential expansion and extension rights subject to further environmental review and regulatory approvals. (Public Utilities Commission)

(Fiscal Impact.)

Question: Shall this Resolution be ADOPTED?

19. 091243 [Support Goals for Federal Funding - Community Development Block Grant]
Sponsor: Avalos
Resolution supporting FY 2010-2011 Community Development Block Grant Action Plan Goals.

Question: Shall this Resolution be ADOPTED?

20. 091248 [Resolution of Intention to Establish Special Tax District No. 2009-1]
Sponsors: Mayor; Mar
Resolution of Intention to establish special tax district to finance energy efficiency and renewable energy capital improvements to residential, commercial, industrial, or other property; to establish boundaries of the Special Tax District; to specify the rate or rates of Special Tax applicable to a parcel or parcels in the Special Tax District; to authorize the issuance of up to $150,000,000 of Special Tax Bonds to finance the capital improvements; to call a public hearing on the establishment of the Special Tax District and provide for the publication of notice thereof; and other matters relating thereto.

Question: Shall this Resolution be ADOPTED?

21. 091249 [Resolution of Intention to Incur Bonded Indebtedness in an Amount not greater than $150,000,000]
Sponsors: Mayor; Mar
Resolution of Intention to incur bonded indebtedness in an amount not greater than $150,000,000 of special tax bonds to finance the costs of energy efficiency, water conservation and renewable energy projects on real property.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Mirkarimi, Maxwell

22. 091158 **[Board Response to the 2008-2009 Civil Grand Jury Report Entitled "Nonprofits, The Good, The Bad, The Ugly"]**
Sponsor: Mirkarimi
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "Nonprofits, The Good, The Bad, The Ugly," and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget.

Question: Shall this Resolution be ADOPTED?

23. 091159 **[Board Response to the 2008-2009 Civil Grand Jury Report Entitled "Pensions: Beyond Our Ability to Pay"]**
Sponsor: Mirkarimi
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "Pensions: Beyond Our Ability to Pay," and urging the Mayor to cause the implementation of accepted findings and recommendations through department heads and through the development of the annual budget.

Question: Shall this Resolution be ADOPTED?

24. 091160 **[Board Response to the 2008-2009 Civil Grand Jury Report Entitled "TRUANTS CAN BE 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or Systematic Ineffectiveness Prevent Future Progress"]**
Sponsor: Mirkarimi
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "TRUANTS CAN BE 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or Systematic Ineffectiveness Prevent Future Progress," and urging the San Francisco Unified School District (SFUSD) to develop a comprehensive truancy reduction plan for use throughout the school district.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

25. 091207 [Extending the Yerba Buena Center Redevelopment Plan]
Sponsor: Daly
Ordinance approving amendments to the Yerba Buena Center Redevelopment Plan to extend by one year the time limit on the effectiveness of the plan (other than the Emporium Site) and, upon expiration of the Plan, to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan to continue financing Low and Moderate Income Housing Fund activities under the Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pursuant to File No. 091277, approved on November 17, 2009.)

26. 091278 [Public Hearing - Acquisition of Property by Eminent Domain - Subsurface Tunnel Easements in Alameda County and San Mateo County]
Hearing of persons interested in or objecting to proposed Resolution authorizing acquisition of subsurface tunnel easements in real property in Alameda County and San Mateo County, consisting of portions of Alameda County Assessor's Parcels 537-0551-028, 537-0551-020 and 537-0551-021-01 in the City of Newark, Alameda County Assessor's Parcel 537-0852-008 in the City of Fremont, San Mateo County Assessor's Parcels 063-590-060 and 096-230-110 in the City of Menlo Park, and in real property owned by San Mateo County Transit District in the City of Menlo Park, located east of University Avenue between Assessor's Parcels 093 600-010 and 063-590-060, by eminent domain, for the public purpose of constructing the Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

27. 091279 **[Resolution to Acquire Real Property Interests by Eminent Domain-Water System Improvement Program-Funded Bay Division Pipeline Reliability Upgrade Tunnel]**
Sponsor: Mayor
Resolution authorizing acquisition of subsurface tunnel easements in real property in Alameda County and San Mateo County, consisting of portions of Alameda County Assessor's Parcels 537-0551-028, 537-0551-020 and 537-0551-021-01 in the City of Newark, Alameda County Assessor's Parcel 537-0852-008 in the City of Fremont, San Mateo County Assessor's Parcels 063-590-060 and 096-230-110 in the City of Menlo Park, and in real property owned by San Mateo County Transit District in the City of Menlo Park, located east of University Avenue between Assessor's Parcels 093 600-010 and 063-590-060, by eminent domain, for the public purpose of constructing the Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 091331.)

28. 091332 **[Public Hearing - Approving a Loan in an amount up to $171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority]**
Hearing of persons interested in or objecting to proposed Resolution approving a Loan in an amount up to $171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority and Making Certain Public Benefit Findings for the Transbay Transit Center Program Under California Government Code Section 6586.5. (Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

29. 091333 **[Approving a Loan in an amount up to $171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority]**
Sponsor: Daly
Resolution approving a Loan in an amount up to $171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority and making certain public benefit findings for the Transbay Transit Center program under California Government Code Section 6586.5.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Regular Meeting on Thursday, November 19, 2009 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 24, 2009.

30. 091076 **[Settlement of Lawsuit - Segundo Malvar Tiongco, Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco - $1,750,000]**
Ordinance authorizing settlement of the lawsuit filed by Segundo Malvar Tiongco, Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco against the City and County of San Francisco for $1,750,000; the lawsuit was filed on January 16, 2009, in San Francisco Superior Court, Case No. 484-171; entitled Segundo Malvar Tiongco, Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

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The following item will be considered by the City Operations and Neighborhood Services Committee at a Rescheduled Meeting on Monday, November 23, 2009, at 11:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 24, 2009.

31. 091305 **[Accept and Expend Grant - Point Lobos Streetscape Improvements Project - $461,000]**
Sponsor: Mar
Resolution authorizing the Department of Public Works to accept and expend a Federal grant in the amount of $408,123 and a State grant in the amount of $52,877 from the Metropolitan Transportation Commission for the Point Lobos Streetscape Improvements Project.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the Budget and Finance Committee at a Special Meeting on Tuesday, November 24, 2009, at 12:25 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, November 24, 2009.

32. 091202 **[Appropriating $7,953,732 to fund the restoration of positions in the Department of Public Health for FY 2009-2010]**
Sponsors: Avalos; Daly, Mirkarimi, Campos and Mar
Ordinance appropriating $7,953,732 from the de-appropriation of funds from salaries and fringe benefits in the San Francisco General Hospital Fund to add 322.39 full-time equivalent (FTEs) positions and delete 272.95 full-time equivalent positions effective November 16, 2009, add 66.35 FTEs and delete 66.35 FTEs effective January 1, 2010, and release $7,953,732 of salaries and fringe benefits placed on Budget and Finance Committee reserve in the Department of Public Health for Fiscal Year 2009-2010.

(Economic Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 091203 **[Public Employment - Amendment to the Annual Salary Ordinance, FY 2009-2010 - Department of Public Health.]**
Sponsors: Avalos; Daly, Mirkarimi, Campos and Mar
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to add 322.39 FTEs in various job classes and delete 272.95 FTEs in various job classes for 16.3 pay periods (November 16, 2009 through June 30, 2010) and add 66.35 FTEs in various job classes and delete 66.35 FTEs in various job classes for 13.1 pay periods (January 1, 2010 through June 30, 2010) in the Department of Public Health.

(Fiscal Impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 091297 **[Expressing the Commitment of the Board of Supervisors to Refund the General Fund Reserve with Revenue from Assembly Bills 1383 and 188]**
Sponsors: Chiu; Dufty and Daly
Resolution expressing the commitment of the Board of Supervisors to backfill reductions in the General Fund Reserve with revenues from Assembly Bills 1383 and 188.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Items 35 through 40

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

35. 091331 [Board of Supervisors Committee of the Whole – November 24, 2009 - 3:00 p.m. Approving a Loan in an amount up to $171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority]
Sponsor: Daly
Motion scheduling the Board to sit as a Committee of the Whole on November 24, 2009, to hear the approval of a Loan in an amount up to $171,000,000 from the U.S. Department of Transportation to the Transbay Joint Powers Authority and making certain public benefit findings for the Transbay Transit Center program under California Government Code Section 6586.5.

11/17/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

36. 091337 [Urging the Federal Communications Commission to Codify Strong Network Neutrality Principles]
Sponsor: Alioto-Pier
Resolution urging the Federal Communications Commission to codify strong network neutrality principles in order to ensure that the Internet will continue to foster innovation, increase competition, and spur economic growth as well as making the Internet faster and more affordable for all.

11/18/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 091338 **[Issuance and Sale of Revenue Bonds – 2235 Third Street Apartments - not to exceed $55,000,000]**
Sponsor: Maxwell
Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments (ABAG) Finance Authority For Nonprofit Corporations in a revised aggregate principal amount not to exceed $55,000,000 for financing the acquisition, construction and rehabilitation of 2235 Third Street Apartments, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07.

11/18/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 091339 **[Issuance and Sale of Revenue Bonds – 178 Townsend Street Housing Project - not to exceed $33,000,000]**
Sponsor: Daly
Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments (ABAG) Finance Authority For Nonprofit Corporations in a revised aggregate principal amount not to exceed $33,000,000 for financing the rehabilitation of a housing project located at 178 Townsend Street, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07.

Question: Shall this Resolution be ADOPTED?

39. 091340 **[Accept and Expend Grant – Screening, Brief Intervention, and Referral to Treatment - $24,790]**
Sponsor: Chu
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $24,790 from the University of California San Francisco, to assist with a project entitled "Screening, Brief Intervention, and Referral to Treatment;" for the period of September 30, 2008, through September 29, 2009.

11/18/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 091342 **[Opposing the Stupak-Ellsworth-Pitts Amendment to Restrict Reproductive Choice]**
Sponsor: Alioto-Pier
Resolution opposing the Stupak-Ellsworth-Pitts Amendment that limits reproductive choice, urging the United States Senate to pass healthcare reform that preserves access to reproductive health services, urging conferees to remove the amendment, and commending members of the California congressional delegation who opposed the amendment.

11/18/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

41. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from November 10, 2009, through November 16, 2009, for reference by the President to appropriate committee on November 24, 2009.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 10, 2009, through November 16, 2009, for reference by the President to appropriate committee on November 24, 2009.

091324 **[Airport Concession Lease]**
Resolution approving the Pay Phone Lease between Pelican Communications, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

11/12/2009, RECEIVED AND ASSIGNED to the Budget and Finance Committee.

091326 **[CEQA Findings for San Francisco Public Utilities Commission New Irvington Tunnel Project in Alameda County and Fremont]**
Resolution adopting findings under the California Environmental Quality Act ("CEQA"), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the New Irvington Tunnel Project, CUW 35901; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

11/16/2009; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

091343 **[Petitions and Communications]**
Petitions and Communications received from November 10, 2009, through November 16, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 24, 2009.

From Center for Biological Diversity, submitting support for approval of the San Francisco Public Utilities Commission's proposed quarry lease to Oliver de Silva, Inc. to mine gravel under Surface Mining Permit 30 in the Sunol Valley. File 090832, Copy: Budget and Finance Committee, Clerk, 2 letters (1)

From T-Mobile, submitting notification letter regarding the placement of a cellular site antenna at 470 Columbus Avenue. (2)

From Office of the City Attorney, submitting copy of letter sent to Joseph Russoniello, United States Attorney's Office regarding the Board of Supervisors override of the Mayor's veto of an ordinance concerning the confidentiality of juveniles' immigration status. File No. 091032 (3)

From Department of Public Health, submitting the annual report of gifts received by the Department of Public Health for FY 2007-2008. (4)

From Department of Public Health, submitting the annual report of gifts received by the Department of Public Health for FY 2008-2009. (5)

From Office of the Controller, submitting an audit report on the management agreement between the Port and the Fisherman's Wharf Restaurant Association for the use and operation of the Triangle Parking Lot. (6)

From Recreation and Parks Department, submitting the Lead Poisoning Prevention report for the 1st quarter of FY 2009-2010. (7)

From concerned citizens, commenting on proposed legislation regarding the "Confidentiality of Juveniles' Immigration Status" an amendment to the Sanctuary Ordinance. File No. 091032, 3 letters (8)

From concerned citizens, regarding Sharp Park Golf Course. 2 letters (9)

From Mr. Gilleade, submitting support for proposed legislation concerning just cause eviction protections for residential tenants, extend to non-rent controlled units. File No. 090583, Copy: Each Supervisor, Land Use Clerk (10)

From concerned citizens, submitting opposition to proposed legislation regarding just cause eviction protections for residential tenants, extend to non-rent controlled units. File No. 090583, Copy: Land Use Clerk, 3 letters (11)

From concerned citizens, regarding Sharp Park. 2 letters (12)

From Health Service System, responding to request for information on national healthcare reform regarding a provision in Senate Finance Bill (S. 1796) calling for the implementation in 2013 of an "Applicable Dollar Limit and Implied Excise Tax." (Reference no. 20091006-003) (13)

From Emile Lawrence, requesting keys to all locked restrooms for City and County taxi drivers. Copy: Each Supervisor, City Attorney (14)

From concerned citizens, urging the Board of Supervisors to stop the lay-offs and bumping of City and County employees. File No. 091246, 5 letters (15)

From Liza Rivera, regarding budget cuts in Adult Protective Services. (16)

From John Baum, commenting on the current plans of the California High Speed Rail Authority for an on-the-surface route between San Jose and San Francisco to extend the "bullet-train" the last 50 miles of its connection between southern California and northern California. (17)

From students, Gordon Lau Elementary School, urging the Board of Supervisors not to eliminate the position of school secretary at Gordon Lau Elementary School. Approximately 70 letters. (18)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, December 8, 2009 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT
DEC - 3 2009
SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, 5, 21, 47, 49, 71, 71L, J, K, L, M, N, T (exit at Van Ness Station). MUNI bus lines also serving the area are the 6, 7, and 9 San Bruno. For more information about MUNI accessible services, call (415) 701-4485.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

Note Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

COMMUNICATIONS

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Chu

1. 091272 **[Port Commission Revenue Bond Law]**
Sponsors: Mayor; Chiu
Ordinance amending the San Francisco Administrative Code by adding Chapter 43, Article XII, Sections 43.12.1 through 43.12.8, to authorize the issuance of revenue bonds by the Port Commission.

11/24/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 091274 [Appropriating $33,395,571 of Port Revenue Bond Proceeds for Pier Repairs and Renovations at the Port of San Francisco for FY 2009-2010]
Sponsors: Mayor; Chiu
Ordinance appropriating $33,395,571 of bond revenue for the Port of San Francisco to make repairs and renovations to Piers 35, 33, 19 or 23, 27, and 50 for FY 2009-2010, and placing $33,395,571 on Controller's reserve pending sale of bonds.

11/24/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Avalos, Mirkarimi, Chu

3. 090679 [Amendment to the John Stewart Company Sublease]
Resolution approving and authorizing the execution of a Fifth Amendment to Sublease with the John Stewart Company to discontinue Earthquake and Flood Insurance. (Treasure Island Development Authority)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Mirkarimi, Chu

4. 091266 [Prevailing Wages for Workers on Public Works/Improvement Projects, Janitorial Services, Public Off-Street Parking Lots, Garages, or Auto Storage Facilities, Theatrical Services, Moving Services and Hauling Solid Waste]
Sponsor: Mirkarimi
Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Elsbernd

5. 091270 [Accept and Expend Grant - Urban Trails of San Francisco - $1,000,000]
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Substance Abuse and Mental Health Services Administration in the amount of $1,000,000 to provide direct services for American Indian/Alaskan Native children and families; for the period of September 30, 2009, through September 29, 2010.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

6. 091207 **[Extending the Yerba Buena Center Redevelopment Plan]**
Sponsor: Daly
Ordinance approving amendments to the Yerba Buena Center Redevelopment Plan to extend by one year the time limit on the effectiveness of the plan (other than the Emporium Site) and, upon expiration of the Plan, to extend both the time for issuance of debt and the receipt of tax increment by the San Francisco Redevelopment Agency and to suspend the limit on the total number of dollars of tax increment revenue that may be received by the San Francisco Redevelopment Agency under the Plan to continue financing Low and Moderate Income Housing Fund activities under the Plan.

11/24/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

7. 091076 **[Settlement of Lawsuit - Segundo Malvar Tiongco, Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco - $1,750,000]**
Ordinance authorizing settlement of the lawsuit filed by Segundo Malvar Tiongco, Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco against the City and County of San Francisco for $1,750,000; the lawsuit was filed on January 16, 2009, in San Francisco Superior Court, Case No. 484-171; entitled Segundo Malvar Tiongco, Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco, et al. v. City and County of San Francisco, et al. (City Attorney)

11/24/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 091264 **[Settlement of Lawsuits - Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox - $217,000]**
Ordinance authorizing settlement of two lawsuits, which were filed by Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox against the City and County of San Francisco and its employees for a total amount of $217,000; the first lawsuit was filed on January 14, 2005, in the United States District Court for the Northern District of California, Case No. C05-0280 VRW/WAF, entitled Earnest Henderson, et al., v. City and County of San Francisco, et al.; the second lawsuit was filed on October 18, 2005, in the United States District Court for the Northern District of California, Case No. C05-4220 VRW; entitled Mack Woodfox v. City and County of San Francisco, et al.; the above total settlement amount also includes all claims for costs and attorneys' fees. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 091265 [Settlement of Lawsuits - Joanne Lozenski, Juanita Stockwell, and Susan Rolovich - $95,000]
Ordinance authorizing settlement of the lawsuit filed by Joanne Lozenski, Juanita Stockwell, and Susan Rolovich against the City and County of San Francisco, Alex Fagan, and Rod Nakanishi for $95,000; the lawsuit was filed on December 14, 2004, in San Francisco Superior Court, Case No. 04-436254; entitled Lozenski, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 091289 [Settlement of Lawsuits - David Spears and Sabrina Wigfall - $97,500]
Ordinance authorizing settlement of the lawsuits filed by David Spears and Sabrin Wigfall against the City and County of San Francisco and Kyle Adams against the City and County of San Francisco for $97,500; the lawsuits were filed on February 6, 2004, and August 1, 2008, in the United States District Court for the Northern District of California, Case Nos. 06-cv-04968 VRW and 08-vc-03696 PJH; entitled David Spears and Sabrina Wigfall v. City and County of San Francisco, et al. and Kyle Adams v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 091290 [Settlement of Lawsuit - Lisa Anne Haller - $230,000]
Ordinance authorizing settlement of the lawsuit filed by Lisa Anne Haller against the City and County of San Francisco for $230,000; the lawsuit was filed on March 20, 2007, in San Francisco Superior Court, Case No. 461-498; entitled Lisa Anne Haller, et al. v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 091291 [Settlement of Lawsuit - City and County of San Francisco - $1,260,000]
Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against the Design Partnership and Del Campo and Maru, Joint Association of Architects, for (a) $1,260,000 payable to the City and County of San Francisco and (b) mutual releases; the lawsuit was filed on March 20, 2009, in San Francisco Superior Court, Case No. 09-486423; entitled City and County of San Francisco v. The Design Partnership and Del Campo and Maru, Joint Association of Architects. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 091318 [Appointments, Graffiti Advisory Board - Nino Parker, David Crommie and Debbie Shea]
Motion appointing Nino Parker, David Crommie and Debbie Shea, terms ending April 10, 2011, to the Graffiti Advisory Board.

Question: Shall this Motion be APPROVED?

14. 091320 [Appointment, Eastern Neighborhoods Citizens Advisory Committee - Fernando Marti]
Motion appointing Fernando Marti, term ending October 19, 2011, to the Eastern Neighborhoods Citizens Advisory Committee.

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present Supervisors Avalos, Mirkarimi, Chu

15. 091202 **[Appropriating $1,881,896 to Fund the Restoration of Positions for Two (2) Months in the Department of Public Health for FY 2009-2010]**
Sponsors: Avalos; Daly, Mirkarimi, Campos and Mar
Ordinance appropriating $1,881,896 from the de-appropriation of funds from salaries and fringe benefits in the San Francisco General Hospital Fund to add 85.97 full-time equivalent (FTEs) positions and delete 72.79 FTE positions effective November 16, 2009, through January 16, 2010, and release $1,881,896 of salaries and fringe benefits placed on Budget and Finance Committee reserve in the Department of Public Health for FY 2009-2010.

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/24/2009; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

16. 091203 **[Public Employment - Amendment to the Annual Salary Ordinance, FY 2009-2010 - Department of Public Health]**
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to add 85.97 FTEs in various job classes and delete 72.79 FTEs in various job classes for two months (November 16, 2009, through January 16, 2010) in the Department of Public Health.

(Fiscal Impact.)

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/24/2009; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

17. 081509 [Summary Vacation of a Portion of Channel Street Between 7th Street and Carolina Street and Exchange of Property]
Sponsor: Maxwell
Ordinance ordering the summary vacation of a portion of Channel Street between 7th Street and Carolina Street, subject to specified conditions; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; authorizing the exchange of such vacated City property with a new lot created in Record of Survey No. 4778, owned by Recology Properties, Inc. and Sunset Scavenger Company; adopting environmental findings and findings that the vacation and exchange are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing actions in furtherance of the ordinance.

11/17/2009; PASSED, ON FIRST READING.

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/24/2009; FINALLY PASSED AS AMENDED.

11/24/2009; PREVIOUS VOTE RESCINDED.

11/24/2009; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

18. 091374 [Accept and Expend Grant - FY 09 Urban Area Security Initiative and Amendment to the Annual Salary Ordinance, FY 2009-2010 - $32,510,600]
Sponsor: Elsbernd
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the Urban Areas Security Initiative ("UASI") Approval Authority, to retroactively accept and expend a UASI grant in the amount of $32,510,600 from the United States Department of Homeland Security, through the California Emergency Management Agency; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect: the addition of one (1) grant-funded position (.50 FTE) in Class 5277 Planner I and one (1) grant-funded position (.50 FTE) in Class 5293 Planner IV, and the deletion of one (1) grant-funded position (.75 FTE) in Class 1426 Senior Clerk Typist, all in the Department of Emergency Management.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 091376 **[Accept and Expend Grant - FY 09 Regional Catastrophic Preparedness Program and Amendment to the Annual Salary Ordinance, FY 2009-2010 - $4,822,667]**
Sponsor: Elsbernd
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program ("RCPGP") Bay Area Site and as fiscal agent for the UASI Approval Authority, to retroactively accept and expend a RCPGP grant in the amount of $4,822,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide $167,188 in matching funds; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of two (2) grant-funded positions (.50 FTE total) in Class 5291 Planner III in the Department of Emergency Management.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 091267 **[Lease of Property at 3801 Third Street]**
Resolution approving, retroactively, a lease at Bayview Plaza, 3801 Third Street, at Evans Street, for the Human Services Agency under Administrative Code Section 23.27. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

21. 091285 **[Amendment to Agreement with Owens Information Systems to Extend the Term]**
Resolution authorizing the Department of Technology to enter into the Eighth Amendment of an agreement with Owens Information Systems to extend the term of the agreement to fifteen years. (Department of Technology)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

22. 090678 **[Bayview Hunters Point Area Plan, Technical Zoning Map Amendments]**
Ordinance amending Zoning Map Sheets ZN08, ZN10, and SU10 of the City and County of San Francisco Planning Code with revised used districts within the Bayview Hunters Point Plan Area; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

11/17/2009; RE-REFERRED to the Land Use and Economic Development Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 091036 [Zoning - Third Street and Le Conte Avenue Affordable Housing Special Use District]
Sponsor: Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 249.43 to establish the Third Street and Le Conte Avenue Affordable Housing Special Use District for property at 6600 Third Street (Lot 9, Assessor's Block 5476), located at the northeast corner of the block bounded by Le Conte Avenue, Third Street and Keith Street; amending Sheet SU10 of the Zoning Map of the City and County of San Francisco, to reflect this new Special Use District, and adopting findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 091059 [Correction to the Vacation of Former Trenton Street]
Ordinance ordering the summary vacation of a portion of Trenton Street south of Jackson Street within Assessor's Block 0192; making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; establishing conditions to the effectiveness of the vacation; adopting environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Real Estate Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 091335 [Establishing Infill Opportunity Zones for Congestion Management Planning]
Sponsors: Mirkarimi; Maxwell
Resolution establishing Infill Opportunity Zones for Congestion Management Planning in the City and County of San Francisco under California Government Code Section 65088.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

26. 090960 [Honoring Small Local Businesses During Small Business Month]
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Administrative Code by requiring the Small Business Commission to declare one month out of the year "Small Business Month" and to recognize small local businesses during the Small Business Month.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 091137 **[Mills Act Contract Procedures]**
Sponsor: Alioto-Pier
Ordinance amending Chapter 71 of the San Francisco Administrative Code regarding historical property (Mills Act) contract procedures to reflect amendments made to the San Francisco Charter to create the Historic Preservation Commission, expand the definition of "qualified historical property" to include properties listed on the California Register of Historical Resources, establish certain time lines for review of applications for historical property contracts, require Budget Analyst review of applications for historical property contracts, and making other clarifying amendments; and making findings, including environmental findings.

10/06/2009, SUBSTITUTED.

11/09/2009, SUBSTITUTED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 091152 **[Confirming the appointment of Miguel Bustos to the San Francisco Redevelopment Agency]**
Sponsor: Mayor
Motion confirming the appointment of Miguel Bustos to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2013.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 091359)

29. 091361 [Approving the Redevelopment Agency's Lease of Land at 249 Eddy Street, and 161-165 Turk Street to Turk & Eddy Associates, L.P.]
Sponsor: Daly
Hearing of persons interested in or objecting to proposed Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at 249 Eddy Street, and 161-165 Turk Street, in San Francisco, California to Turk & Eddy Associates, L.P., a California limited partnership, an affiliate of Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation for 55 years with an option to extend for 44 years for the purpose of preserving housing for very low-income seniors and disabled persons.

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

30. 091360 [Redevelopment Agency Lease of Land at 249 Eddy Street, and 161-165 Turk Street to Turk & Eddy Associates, L.P.]
Sponsor: Daly
Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at 249 Eddy Street, and 161-165 Turk Street, in San Francisco, California to Turk & Eddy Associates, L.P., a California limited partnership, an affiliate of Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation for 55 years with an option to extend for 44 years for the purpose of preserving housing for very low-income seniors and disabled persons.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

31. 091313 **[Appeal of Tentative Parcel Map for 1673 through 1675 - 11th Avenue]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 29, 2009, affirming the approval of the Tentative Parcel Map to construct a new 2 unit condominium project located at 1673 through 1675 - 11th Avenue, Lot No. 013 in Assessor's Block No. 1932. (Appellant: Rose Tom Tsai) (Clerk of the Board)

(Filed 11/9/09 - Companion Measure to Files 091314, 091315, 001316; District 7.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

32. 091314 **[Approving decision of the Department of Public Works and approving the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]**
Motion approving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Parcel Map for a 2-unit new construction condominium subdivision located at 1673 through 1675 11th Avenue, Assessor's Block 1932, Lot 013.

Question: Shall this Motion be APPROVED?

33. 091315 [Disapproving decision of the Department of Public Works and disapproving the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]

Motion disapproving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and disapproving the Tentative Parcel Map for a 2-unit new construction condominium subdivision located at 1673 through 1675 11th Avenue, Assessor's Block 1932, Lot 013.

Question: Shall this Motion be APPROVED?

34. 091316 [Findings related to the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-unit new construction condominium subdivision located at 1673 through 1675 11th Avenue, Assessor's Block 1932, Lot 013.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

35. 091345 **[Public Hearing - Appeal of Conditional Use Appeal for 1969 California Street]**
Hearing of persons interested in or objecting to decision of the Planning Commission by its Motion No. 17959 dated October 8, 2009, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2009.0639C), under Planning Code Sections 209.9 and 303 to allow the establishment of an art gallery and associated offices (d.b.a. Anthony Meier Fine Art Gallery) within a designated City Landmark, Landmark #260, the Tobin House, in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District, on property located at 1969 California Street, Lot No. 016 in Assessor's Block 0649. (Appellant: Greg Scott on behalf of Pacific Heights Residents Association) (Child Support Services)

(Filed 11/9/09 - Companion Measure to Files 091346, 091347, 001348; District 5.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

36. 091346 **[Approving Planning Commission Decision Related to Conditional Use Appeal for 1969 California Street]**
Motion approving decision of the Planning Commission by its Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

37. 091347 **[Disapproving Planning Commission Decision Related to Conditional Use Appeal for 1969 California Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 17959, approving Conditional Use Application 2009.0639C on property located at 1969 California Street. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

38. 091348 **[Preparation of Findings Related to the Conditional Use Appeal for 1969 California Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2009.0639C on property located at 1969 California Street, for action by the Board at its next meeting. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Public Safety Committee at a Regular Meeting on Monday, December 7, 2009, at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 8, 2009.

39. 091276 [Accept and Expend Grant - Edward Byrne Memorial Justice Assistance in the amount of $2,700,314.00 and Amend Annual Salary Ordinance FY 2009 - 2010]
Sponsor: Mayor
Ordinance authorizing the Department of Children, Youth & Their Families (DCYF) to accept and expend grant funding in the amount of $2,700,314.00 from the Federal Department of Justice, Office of Justice Programs for implementation of criminal justice programs and amending Annual Salary Ordinance (183-09) and to create grant-funded position at DCYF.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Land Use and Economic Development Committee at a Regular Meeting on Monday, December 7, 2009, at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 8, 2009.

40. 090583 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units]
Sponsor: Avalos
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance:" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979); by amending Section 37.9 to provide that 37.9(a)(8)(vi) limitations on owner move-in evictions do not apply to these newly protected units (new Section 37.9(a)(8)(viii)); by amending Section 37.9 to add a 16th just cause for eviction, to provide for eviction from a condominium unit with separable title that was rented by the developer for a limited time period prior to sale of the unit, where the developer has given specified advance notice to the renters (new Section 37.9(a)(16)); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

Question: Shall this Ordinance be PASSED ON FIRST READING?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 41 through 53

41. 091359 **[Committee of the Whole – December 8, 2009 - 3:00 p.m. - to Hold a Public Hearing on the Approval of a Redevelopment Ground Lease of Land at 249 Eddy Street, and 161-165 Turk Street]**

Sponsor: Daly

Motion scheduling the Board to sit as a Committee of the Whole on December 8, 2009, to hold a public hearing on the approval of Redevelopment Agency of the City and County of San Francisco's lease of land at 249 Eddy Street, and 161-165 Turk Street, in San Francisco, California to Turk & Eddy Associates, L.P., a California limited partnership, an affiliate of Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation for 55 years with an option to extend for 44 years for the purpose of preserving housing for very low-income seniors and disabled persons.

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

42. 091355 [Accept and Expend Grant - eLearning Modules to Support HIV Research - $35,125]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $35,125 from the Fred Hutchinson Cancer Research Center to assist with a project entitled "eLearning Modules to Support HIV Research;" for the period of June 1, 2009, through May 31, 2010.

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 091356 [Authorizing the Director of Public Works or Designee to Request a Cooperative Work Agreement from the California Department of Finance]

Sponsor: Mayor

Resolution authorizing the Director of Public Works or his or her designee to request a Cooperative Work Agreement from the California Department of Finance to extend the expiration date for a Federal transportation grant expiring on June 30, 2010.

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 091357 [Accept and Expend Grant - HPV Epidemiology and Responses To Screening - $12,760]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $12,760 from the University of California San Francisco (UCSF), to assist with a project entitled "HPV Epidemiology and Response to Screening;" for the period of August 11, 2009, through July 31, 2010.

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 091358 [Urging the San Francisco State Lobbyists to Facilitate the Implementation of AB 1383]

Sponsor: Daly

Resolution urging City of San Francisco Lobbyists to facilitate the implementation of AB 1383, and establishing a general framework of the quality assurance fee and increased Medi-Cal payments to hospitals.

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 091362 **[Commemorate the 40th Anniversary of the Occupation of Alcatraz Island]**
Sponsor: Mar
Resolution commemorating the 40th Anniversary of the Occupation of Alcatraz Island from November 20, 1969, to June 11, 1971.

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 091363 **[California Master Plan for Education]**
Sponsor: Mirkarimi
Resolution Calling on the State, the UC Regents, the CSU Board of Trustees, and the Board of Governors of the California Community Colleges to recommit to the California Master Plan for Higher Education.

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 091364 **[Urging the United States to Enter into a Strong International Treaty to Address Climate Change]**
Sponsor: Mirkarimi
Resolution urging the President of the United States, at the UN Climate Change Conference scheduled for December 2009 in Copenhagen, to negotiate and sign, the Senate to ratify and the Congress of the United States to support legislatively a strong treaty to address climate change.

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 091365 **[Supporting the Recommendations Contained in the Report of the Peak Oil Preparedness Task Force]**
Sponsors: Mirkarimi; Mar
Resolution in support of the measures and actions to mitigate the effects of declining fossil fuel supplies recommended in the report of the San Francisco Peak Oil Preparedness Task Force.

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 091366 [Approval of a 30-Day Extension for Planning Commission Review of the Telegraph Hill-North Beach Residential Special Use District]
Sponsor: Chiu
Resolution extending, by 30-days, the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would require a Conditional Use Authorization for the installation of a garage opening in existing buildings, reduce the parking requirements in certain Northeast Neighborhoods, and creating the Telegraph Hill-North Beach Residential Special Use District, and making findings of consistency with the priority policies of the Planning Code Section 101.1 and environmental findings.

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 091378 [Declaration of Election Results of November 3, 2009, Municipal Election]
Sponsor: Chiu
Resolution declaring the results of the November 3, 2009, Municipal Election

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 091341 [2010 Board of Supervisors Regular Meeting Schedule]
Motion approving the 2010 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 19, February 16, May 25, July 6, September 7, October 12, and November 30; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 18 through September 7, 2010, and December 15 through December 31, 2010. (Clerk of the Board)

11/18/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

53. 091367 [Professional Services Agreement for Budget and Legislative Analyst Service with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie & Wong, LLP, a Joint Venture]
Motion authorizing the Clerk of the Board of Supervisors to enter into a Professional Services Agreement for Budget and Legislative Analyst Service with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie & Wong, LLP, a Joint Venture and approving said agreement, pursuant to Charter Section 2.117. (Clerk of the Board)

11/24/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

54. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s)

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

Proposed ordinances received from November 17, 2009, to November 30, 2009, for reference by President to appropriate committee on December 8, 2009.

091381 **[Settlement of Lawsuit - Marco Maestrini - $40,000]**
Ordinance authorizing settlement of the lawsuit filed by Marco Maestrini against the City and County of San Francisco for $40,000; the lawsuit was filed on June 6, 2007, in the United States District Court for the Northern District of California, Case No. C07-02941 PJH; entitled Marco Maestrini, et al., v. City and County of San Francisco, et al. (City Attorney)

11/18/2009; RECEIVED AND ASSIGNED to the Rules Committee.

091382 **[Settlement of Lawsuit - Ben H. Lyon - $47,500]**
Ordinance authorizing settlement of the lawsuit filed by Ben H. Lyon against the City and County of San Francisco for $47,500; the lawsuit was filed on May 9, 2007, in San Francisco Superior Court, Case No. 463-228; entitled Ben H. Lyon, et al. v. City and County of San Francisco, et al. (City Attorney)

11/24/2009; RECEIVED AND ASSIGNED to the Rules Committee.

091383 **[Settlement of Lawsuit - Glynis Senegal and Joseph Senegal - $158,000]**
Ordinance authorizing settlement of the lawsuit filed by Glynis Senegal and Joseph Senegal against the City and County of San Francisco for $158,000; the lawsuit was filed on May 5, 2006, in San Francisco Superior Court, Case No. 451-969; entitled Glynis Senegal and Joseph Senegal v. City and County of San Francisco, et al. (City Attorney)

11/24/2009; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 17, 2009, to November 30, 2009, for reference by President to appropriate committee on December 8, 2009.

091384 **[Settlement of Unlitigated Claim - David Cleary - $225,000]**
Resolution approving the settlement of the unlitigated claim filed by David Cleary against the City and County of San Francisco for $225,000; claim was filed on May 22, 2009. (City Attorney)

11/24/2009; RECEIVED AND ASSIGNED to the Rules Committee.

091385 **[Approving the City and County's Extension of the Existing Three-Year Plan for State-Funded Child Abuse Prevention Programs]**
Resolution approving the extension of San Francisco's Three-Year County Plan for the Child Abuse Prevention, Intervention, and Treatment; Community Based Child Abuse Prevention; and Promoting Safe and Stable Families programs. (Human Services Department)

11/30/2009; RECEIVED AND ASSIGNED to the City Operations and Neighborhood Services Committee.

091386 **[Petitions and Communications]**

Petitions and Communications received from November 17, 2009, through November 30, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on December 8, 2009.

From Office of the Mayor, regarding notice of transfer of function under Charter Section 4.132. Copy: Each Supervisor (1)

From Public Utilities Commission, submitting request for release of reserved funds (in the amount of $256,318,678) for the new Irving Tunnel Project. (2)

From Office of the Controller, submitting the first quarter General Fund Budget Status Report for FY 2009-2010. (3)

From Department of Public Health, submitting request for waiver of Administrative Code Sections 12B and 14B for ten hospitals outside of San Francisco which provide mental health services to children under San Francisco's legal jurisdiction. (4)

From Arts Commission, submitting the first quarterly expenditure report for FY 2009-2010. (5)

From Office of the Controller, submitting notice that the Controller's Office cannot certify funds from the General Fund Reserve for new appropriations due to the projected budget shortfall. Copy: Each Supervisor (6)

From Office of the Controller, submitting memorandum to formally rescind certification of appropriation ordinances contained in Board of Supervisors' File Nos. 091246 and 091202. (7)

From Department of the Environment, regarding the implementation of the Mandatory Recycling and Composting Ordinance. (8)

From Midpeninsula Regional Open Space District, regarding the Proposed Resolution to Acquire Real Property Interests by Eminent Domain-Water System Improvement Program-Funded Bay Division Pipeline Reliability Upgrade Tunnel. File No. 091278, Copy: Each Supervisor (9)

From Department of Public Health, Environmental Health Section staff, submitting opposition to any job cuts to staff in clerical positions at the Department of Public Health, Environmental Health section. Copy: Each Supervisor (10)

From concerned citizens, requesting SFGTV provide coverage of the Historic Preservation Commission meetings. 2 letters (11)

From concerned citizens, submitting opposition to proposed legislation amending the San Francisco Planning Code by amending Section 311 and 312 to provide that a request for discretionary review will be heard by the Planning Commission or its designee if the application demonstrates exceptional and ordinary circumstances as defined, to replace the term Residential Design Guidelines with the term Residential Design Standards, and to repeal the ability of a project sponsor to request discretionary review; amending Sections 352 and 355 to allow for collection and refund of fees associated with Planning Department Reconsideration; adopting environmental and Section 302 findings. File No. 091020, 27 letters (12)

From concerned citizens, urging the Recreation and Park Commission to vote for full restoration of Sharp Park and against the golf alternative. 4 letters (13)

From concerned citizens, urging the Recreation and Park Commission to preserve the historic 18-hole Sharp Park Golf Course. 14 letters (14)

From James Miller, urging a total ban on automobiles on all of Market Street or at least in the financial district. (15)

From the U.S. Fish and Wildlife Service, Don Edwards SF Bay National Wildlife Refuge, submitting support for the proposed exchange of easements between the SF Public Utilities Commission and the Midpeninsula Regional Open Space District in order to complete a vital link in the San Francisco Bay Trail. File No. 091278 (16)

From Department of Public Health, regarding the impact of the federal healthcare reform legislation on the Healthy San Francisco Program. (Reference No. 20091006-002) (17)

From Planning Department, submitting copy of an open letter sent to the Coalition for San Francisco Neighborhoods regarding pending legislation on discretionary review. (18)

From Office of the Controller, submitting an audit report of franchise fee payments Astound Broadband made to the City and County of San Francisco to operate an open video system within the City. Copy: Each Supervisor (19)

From the Port, submitting the first quarter contracting activities report and the projected contracting activities for the upcoming year. (20)

From Municipal Transportation Agency, submitting memorandum that the Municipal Transportation Agency has received the $4,000,000 letter of credit required from Titan Outdoor, LLC, under the agreement for advertising on Municipal Transportation vehicles and other property. (21)

From Office of the Controller, submitting an audit review of the franchise fees NRG Energy Center San Francisco paid to the City and County of San Francisco to use City streets to install, construct, maintain, and operate steam pipe conduits. (22)

From concerned citizens, submitting support for full funding of the Neighborhood Emergency Response Team Program. 2 letters (23)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 2700 - 14th Avenue. (24)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 300 Felton Street. (25)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 2453 Lawton Street. (26)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 1306 - 28th Avenue. (27)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from November 28, 2009, until December 2, 2009. Supervisor Elsbernd will serve as Acting-Mayor. Copy: Each Supervisor (28)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapter 12B for Merry X-Ray Chemical Corporation to provide radiographic equipment. (29)

From Department of Parks, County of San Mateo, submitting support for the proposed exchange of easements between the SF Public Utilities Commission and the Midpeninsula Regional Open Space District in order to complete a vital link in the San Francisco Bay Trail. File No. 091278 (30)

From City of East Palo Alto, submitting support for the proposed exchange of easements between the SF Public Utilities Commission and the Midpeninsula Regional Open Space District in order to complete a vital link in the San Francisco Bay Trail. File No. 091278 (31)

From Hanson Bridgett LLP, submitting opposition to proposed legislation authorizing acquisition by eminent domain of the subsurface tunnel easements in real property in Alameda County and San Mateo County. File No. 091278 (32)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 400 Crescent Avenue. (33)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 98 Mullen Avenue. (34)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 222 Randall Street. (35)

From Free Press, submitting copy of letter sent to Kimo Crossman regarding Network Neutrality in San Francisco. File No. 091337 (36)

From Department of Public Health, responding to inquiry for an analysis of proposed Federal legislation and the possible impact on access to and delivery of health care in San Francisco. (Reference No. 20091006-002) (37)

From Fiber-to-the-Home Council, commenting on the proposed legislation that urges the Federal Communications Commission to Codify Strong Network Neutrality Principles. File No. 091337 (38)

From Richard Nguyen, regarding healthcare for illegal immigrants in San Francisco. (39)

From Mark Jones, submitting support for full funding for a LAFCo managed Clean Power San Francisco project that will run San Francisco on 50% renewable energy source within the next decade. (40)

From Raymond Hawkins, regarding the Judicial Bench of the California Supreme Court. (41)

From Bill Pearson, submitting support for proposed legislation amending the San Francisco Planning Code by amending Section 311 and 312 to provide that a request for discretionary review will be heard by the Planning Commission or its designee if the application demonstrates exceptional and ordinary circumstances as defined, to replace the term Residential Design Guidelines with the term Residential Design Standards, and to repeal the ability of a project sponsor to request discretionary review; amending Sections 352 and 355 to allow for collection and refund of fees associated with Planning Department Reconsideration; adopting environmental and Section 302 findings. File No. 091020 (42)

From Save Our Sunol, submitting support for approval of the San Francisco Public Utilities Commission's proposed quarry lease to Oliver de Silva, Inc., to mine gravel under Surface Mining Permit No. 30 in the Sunol Valley. File No. 090832 (43)

From Ahimsa Porter Sumchai, regarding the draft Environmental Impact Report for the Candlestick Point-Hunters Point Shipyard Phase II Development Plan. (44)

From SF Bay Trail Project, submitting support for the proposed exchange of easements between the SF Public Utilities Commission and the Midpeninsula Regional Open Space District in order to complete a vital link in the San Francisco Bay Trail. File No. 091278, Copy: Each Supervisor (45)

From Francisco Da Costa, regarding the Land Use Committee. (46)

From Ahimsa Porter Sumchai, regarding the association between indoor environmental factors and parental reported autistic spectrum disorders in children 6-8 years of age. (47)

From concerned citizens, regarding the budget crisis in the City and County of San Francisco. Copy: Supervisor Mirkarimi, 2 letters (48)

From Department of Elections, submitting notice that the November 3, 2009, Municipal Election results are certified and the results are official. (49)

From Tom Lee, regarding the future of transportation in San Francisco. (50)

From Norman Degelman, submitting support for a supplemental appropriation to provide quality healthcare in San Francisco. (51)

From William Shulman, submitting opposition to any new alcohol fee in San Francisco. (52)

From Kimo Crossman, regarding the progress of the Water System Improvement Program. (53)

From Ren Pieratt, regarding the street work on 18th Avenue between Irving and Judah Streets. (54)

From Joel Gonzales, regarding his experience on the No. 71 Muni outbound bus on November 25, 2009. (55)

From Susan Keyte, submitting opposition to the proposed changes on the No. 10 Muni bus. (56)

From George Huie, regarding parking abuses and budget cutting ideas. (57)

From Sally Loveland, regarding Muni bus service. (58)

From Regional Air Quality Intern, regarding the harmful effects of wood smoke inhalation and the Wood Burning Ordinance that was passed last year. (59)

From concerned citizens, regarding eviction and rental protections in San Francisco. 2 letters (60)

From Ahimsa Sumchai, regarding hydrology and water quality. (61)

From Ahimsa Sumchai, regarding the recent mammogram recommendations. (62)

From James Corrigan, regarding firefighters and parking in San Francisco. (63)

From Amy Blakeley, urging the Board of Supervisors to reject proposed ordinance to expand rent control laws to buildings built after 1979. (64)

From Planning Department, submitting the 2009 Commerce and Industry Inventory report. (65)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice Transmitted: 12-4-2009

A public hearing will be held on December 15, 2009 at 4:00 p.m., or as soon as possible after this time, at Legislative Chamber, Room 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subject. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Comments may be mailed to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Documents relating to this matter are also available for inspection at the address above.

FILE NO. 091309

Appeal of Determination of Exemption from Environmental Review for 2750 Vallejo Street

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 6, 2009, Case No. 2006.0339E, that a project located at 2750 Vallejo Street is exempt from environmental review under Categorical Exemption, Class 1 [State CEQA, Guidelines, Section15301(e)(1)]. The proposal would alter the facade and construct rear and side horizontal additions to an existing three-story, single-family residence in an RH-1(D) District and a 40-X Height and Bulk District, in Assessor's Block No. 0954, Lot No. 006. (Appellants: Robert A. Byrum and Dona S. Byrum)

Angela Calvillo, Clerk of the Board

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Legislative Chamber, Room 250
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San Francisco, CA 94102-4689

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Tuesday, December 15, 2009 - 2:00 PM

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.sfgov.org/bos

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Chu	Wednesday 11:00 AM
City and School District Select Committee Supervisors Elsbernd, Dufty, Avalos, Yee, Fewer, Maufas	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Dufty, Daly, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mirkarimi, Mar, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Alioto-Pier	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Daly, Alioto-Pier	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bos_meetings. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯　必須在會議前最少四十八小時提出要求
請電　(415) 554-7719

Disability Access

The Legislative Chamber and the Committee Room in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

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Know Your Rights Under The Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

Note: Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

COMMUNICATIONS

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

(This item will be read at the Board Meeting on the third Tuesday of each month.)

The following is a time dedicated for the Mayor to discuss with the Board of Supervisors issues pertaining to the governance of the City and County of San Francisco. The Board of Supervisors offers this time for dialogue on the third regularly scheduled Board meeting of every month pursuant to the will of the voters as expressed in Proposition I in November of 2006.

Should the Mayor fail to appear after five minutes of the item being called, the Clerk shall remove the item from the Board's agenda, and the item shall not be considered by the Board. Should the Mayor appear and the Board therefore consider this item, public comment for this item will take place during general public comment.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 18

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

1. 091374 **[Accept and Expend Grant - FY 09 Urban Area Security Initiative and Amendment to the Annual Salary Ordinance, FY 2009-2010 - $32,510,600]**
Sponsor: Elsbernd
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, as the primary grantee for the combined Bay Area Urban Area and as the fiscal agent for the Urban Areas Security Initiative ("UASI") Approval Authority, to retroactively accept and expend a UASI grant in the amount of $32,510,600 from the United States Department of Homeland Security, through the California Emergency Management Agency; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect: the addition of one (1) grant-funded position (.50 FTE) in Class 5277 Planner I and one (1) grant-funded position (.50 FTE) in Class 5293 Planner IV, and the deletion of one (1) grant-funded position (.75 FTE) in Class 1426 Senior Clerk Typist, all in the Department of Emergency Management.

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 091376 **[Accept and Expend Grant - FY 09 Regional Catastrophic Preparedness Program and Amendment to the Annual Salary Ordinance, FY 2009-2010 - $4,822,667]**
Sponsor: Elsbernd
Ordinance authorizing the Department of Emergency Management, on behalf of the City and County of San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program ("RCPGP") Bay Area Site and as fiscal agent for the UASI Approval Authority, to retroactively accept and expend a RCPGP grant in the amount of $4,822,667 from the United States Department of Homeland Security, through the California Emergency Management Agency, and to provide $167,188 in matching funds; amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of two (2) grant-funded positions (.50 FTE total) in Class 5291 Planner III in the Department of Emergency Management.

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 091324 **[Airport Concession Lease]**
Resolution approving the Pay Phone Lease between Pelican Communications, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present Supervisors Maxwell, Mar, Chiu

4. 090678 **[Bayview Hunters Point Area Plan, Technical Zoning Map Amendments]**
Ordinance amending Zoning Map Sheets ZN08, ZN10, and SU10 of the City and County of San Francisco Planning Code with revised use districts within the Bayview Hunters Point Plan Area; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

11/17/2009, RE-REFERRED to the Land Use and Economic Development Committee.

12/08/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 091036 **[Zoning - Third Street and Le Conte Avenue Affordable Housing Special Use District]**
Sponsor: Maxwell
Ordinance amending the San Francisco Planning Code by adding Section 249.43 to establish the Third Street and Le Conte Avenue Affordable Housing Special Use District for property at 6600 Third Street (Lot 9, Assessor's Block 5476), located at the northeast corner of the block bounded by Le Conte Avenue, Third Street and Keith Street; amending Sheet SU10 of the Zoning Map of the City and County of San Francisco, to reflect this new Special Use District, and adopting findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

12/08/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 091059 **[Correction to the Vacation of Former Trenton Street]**
Ordinance ordering the summary vacation of a portion of Trenton Street south of Jackson Street within Assessor's Block No. 0192; making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; establishing conditions to the effectiveness of the vacation; adopting environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Real Estate Department)

12/08/2009, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Public Safety Committee

Present: Supervisors Chiu, Mirkarimi, Mar

7. 091276 [Accept and Expend Grant - Edward Byrne Memorial Justice Assistance and Amendment to the Annual Salary Ordinance, FY 2009-2010 - $2,700,314]
Sponsor: Mayor
Ordinance authorizing the Department of Children, Youth & Their Families (DCYF) to accept and expend grant funding in the amount of $2,700,314 from the Federal Department of Justice, Office of Justice Programs for implementation of criminal justice programs and amending Annual Salary Ordinance (183-09) and to create grant-funded position at DCYF.

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 091298 [Accept and Expend Grant - Mortgage and Investment Fraud Project - $1,066,026]
Sponsor: Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend grant funds from the American Recovery and Reinvestment Act in the amount of $1,066,026 through the United States Department of Justice, Bureau of Justice Assistance, for a program entitled "Mortgage and Investment Fraud Prosecution and Education Project" for the period from August 1, 2009, through July 31, 2011.

Question: Shall this Resolution be ADOPTED?

9. 091302 [Accept and Expend Grant - Police Department Emergency Operations Center - $1,000,000]
Sponsor: Elsbernd
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend an earmark grant in the amount of $1,000,000 from the California Emergency Management Agency through the Federal Emergency Management Agency for the purchase of equipment and construction of the San Francisco Police Department Emergency Operations Center.

Question: Shall this Resolution be ADOPTED?

10. 091303 [Accept and Expend Grant - California Multi-Jurisdictional Methamphetamine Enforcement Team Program - $346,785]
Sponsor: Elsbernd
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $346,785 from the Governor's Office of Emergency Services for a project entitled "California Multi-Jurisdictional Methamphetamine Enforcement Team (CAL-MMET)" Program.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

11. 090960 **[Honoring Small Local Businesses During Small Business Month]**
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Administrative Code by requiring the Small Business Commission to declare one month out of the year "Small Business Month" and to recognize small local businesses during the Small Business Month.

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 091264 **[Settlement of Lawsuits - Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox - $217,000]**
Ordinance authorizing settlement of two lawsuits, which were filed by Earnest Henderson, Janel Gotta, Aaron Rauls, Michael Perez, Arturo Pleitez, and Mack Woodfox against the City and County of San Francisco and its employees for a total amount of $217,000; the first lawsuit was filed on January 14, 2005, in the United States District Court for the Northern District of California, Case No. C05-0280 VRW/WAF, entitled Earnest Henderson, et al., v. City and County of San Francisco, et al.; the second lawsuit was filed on October 18, 2005, in the United States District Court for the Northern District of California, Case No. C05-4220 VRW; entitled Mack Woodfox v. City and County of San Francisco, et al.; the above total settlement amount also includes all claims for costs and attorneys' fees. (City Attorney)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 091265 **[Settlement of Lawsuits - Joanne Lozenski, Juanita Stockwell, and Susan Rolovich - $95,000]**
Ordinance authorizing settlement of the lawsuit filed by Joanne Lozenski, Juanita Stockwell, and Susan Rolovich against the City and County of San Francisco, Alex Fagan, and Rod Nakanishi for $95,000; the lawsuit was filed on December 14, 2004, in San Francisco Superior Court, Case No. 04-436254; entitled Lozenski, et al., v. City and County of San Francisco, et al. (City Attorney)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 091289 **[Settlement of Lawsuits - David Spears and Sabrina Wigfall - $97,500]**
Ordinance authorizing settlement of the lawsuits filed by David Spears and Sabrina Wigfall against the City and County of San Francisco and Kyle Adams against the City and County of San Francisco for $97,500; the lawsuits were filed on February 6, 2004, and August 1, 2008, in the United States District Court for the Northern District of California, Case Nos. 06-cv-04968 VRW and 08-vc-03696 PJH; entitled David Spears and Sabrina Wigfall v. City and County of San Francisco, et al. and Kyle Adams v. City and County of San Francisco, et al. (City Attorney)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 091290 [Settlement of Lawsuit - Lisa Anne Haller - $230,000]
Ordinance authorizing settlement of the lawsuit filed by Lisa Anne Haller against the City and County of San Francisco for $230,000; the lawsuit was filed on March 20, 2007, in San Francisco Superior Court, Case No. 461-498; entitled Lisa Anne Haller, et al. v. City and County of San Francisco, et al. (City Attorney)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 091291 [Settlement of Lawsuit - City and County of San Francisco - $1,260,000]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against the Design Partnership and Del Campo and Maru, Joint Association of Architects, for (a) $1,260,000 payable to the City and County of San Francisco and (b) mutual releases; the lawsuit was filed on March 20, 2009, in San Francisco Superior Court, Case No. 09-486423; entitled City and County of San Francisco v. The Design Partnership and Del Campo and Maru, Joint Association of Architects. (City Attorney)

12/08/2009; PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 091352 [Extending the Term of Service for the Power Plant Task Force]
Sponsor: Maxwell
Resolution to extend the expiration date of the Power Plant Task Force from December 31, 2009, to December 31, 2010.

Question: Shall this Resolution be ADOPTED?

18. 091351 [Appointments, Workforce Investment Community Advisory Committee - Corrin Buchanan and Cameron McHenry]
Motion appointing Corrin Buchanan and Cameron McHenry, terms to be determined, to the Workforce Investment Community Advisory Committee. (Rules Committee)

Question: Shall this Motion be APPROVED?

Questions on the Consent Agenda are on final passage, first reading, adoption, or approved, as indicated:_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

19. 091353 **[Appropriating $6,071,836 to Fund the Restoration of Positions in the Department of Public Health for FY 2009-2010]**
Sponsors: Avalos; Daly, Mirkarimi, Campos and Mar
Ordinance appropriating $6,071,836 from the de-appropriation of funds from salaries and fringe benefits in the San Francisco General Hospital Fund to add 236.42 full-time equivalent (FTEs) positions and delete 200.16 FTE positions effective January 17, 2010, add 66.35 FTEs and delete 66.35 FTEs effective January 1, 2010, and release $6,071,836 of salaries and fringe benefits placed on Budget and Finance Committee reserve in the Department of Public Health for FY 2009-2010.

11/24/2009; DUPLICATED AND AMENDED. Duplicate of File No. 091202.

11/24/2009; TABLED. Motion FAILED.

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/24/2009; CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 091354 **[Public Employment - Amendment to the Annual Salary Ordinance, FY 2009-2010 - Department of Public Health]**
Sponsors: Avalos; Daly, Mirkarimi, Campos and Mar
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance 2009-2010) to add 236.42 FTEs in various job classes and delete 200.16 FTEs in various job classes for 11.8 pay periods (January 17, 2010, through June 30, 2010) and add 66.35 FTEs in various job classes and delete 66.35 FTEs in various job classes for 13.1 pay periods (January 1, 2010, through June 30, 2010) in the Department of Public Health.

11/24/2009; DUPLICATED AND AMENDED. Duplicate of File No. 091203.

11/24/2009; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/24/2009; CONTINUED AS AMENDED ON FIRST READING.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

21. 090583 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units]
Sponsors: Avalos; Campos
Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979); by amending Section 37.9 to provide that 37.9(a)(8)(vi) limitations on owner move-in evictions do not apply to these newly protected units (new Section 37.9(a)(8)(viii)); by amending Section 37.9 to add a 16th just cause for eviction, to provide for eviction from a condominium unit with separable title that was rented by the developer for a limited time period prior to sale of the unit, where the developer has given specified advance notice to the renters (new Section 37.9(a)(16)); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

12/08/2009; PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Campos, Daly, Alioto-Pier

22. 091137 [Mills Act Contract Procedures]
Sponsor: Alioto-Pier
Ordinance amending Chapter 71 of the San Francisco Administrative Code regarding historical property (Mills Act) contract procedures to reflect amendments made to the San Francisco Charter to create the Historic Preservation Commission, expand the definition of "qualified historical property" to include properties listed on the California Register of Historical Resources, establish certain time lines for review of applications for historical property contracts, require Budget Analyst review of applications for historical property contracts, and making other clarifying amendments; and making findings, including environmental findings.

10/06/2009; SUBSTITUTED.

11/09/2009; SUBSTITUTED.

12/08/2009; AMENDED.

12/08/2009; PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Avalos, Mirkarimi, Chu

23. 091336 **[Public Employment - Amendment to the Annual Salary Ordinance FY 2009-2010 for the Department of the Environment]**
Sponsor: Mayor
Ordinance amending Ordinance No. 183-09 (Annual Salary Ordinance FY 2009-2010) to reflect the addition of one position (.50 FTE) Class 5638 Environmental Assistant in the Department of the Environment.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 091368 **[Accept and Expend Grant - American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY 2009-2010 - $7,739,300]**
Sponsor: Mayor
Ordinance authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of $7,739,300 from the U.S. Department of Energy through the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) under the Energy Independence and Security Act of 2007 (Pub. L. 110-140; 42 U.S.C. 17151 et seq.) for the Municipal Building Energy Efficiency Retrofit, Community Resilience, and Heating Systems Programs, and amending Ordinance Number 183-09 to reflect the addition of one and seven-tenths (1.7) grant-funded positions at the Department of the Environment.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 091326 **[CEQA Findings for San Francisco Public Utilities Commission New Irvington Tunnel Project in Alameda County and Fremont]**
Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the New Irvington Tunnel Project, CUW 35901; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

26. 091369 **[Revenue Contract with PG&E Energy Conservation Programs]**
Sponsor: Mayor
Resolution authorizing the Department of the Environment under Charter Section 9.118 to enter into a contract for up to $11,540,000 with Pacific Gas and Electric Company (PG&E), to implement an Energy Use and Demand Reduction through Energy Efficiency Program in the City and County of San Francisco.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use and Economic Development Committee

Present: Supervisors Maxwell, Mar, Chiu

27. 090962 [Zoning - Amending the Citywide Definition of Tobacco Paraphernalia Establishments by Lowering the Threshold for Retail Stores to be Considered Tobacco Paraphernalia Establishments]

Sponsor: Chiu

Ordinance amending the Planning Code to amend the definition of Tobacco Paraphernalia Establishments in Section 227(v), to lower the threshold for retail stores to be considered Tobacco Paraphernalia Establishments from 15% of the square footage of the establishment to 10% of the occupied floor area, as defined in Section 102.10, or 10 linear feet of display area projected to the floor, whichever is less; amending Sections 790.123 and 890.123 to reflect this amended definition; amending Section 723.1 and the Table at Section 723, to make Tobacco Paraphernalia Establishments, as defined, not permitted in the Polk Street Neighborhood Commercial District; amending Section 186.1, to change the period of non-use for a non-conforming Tobacco Paraphernalia Establishment use to be deemed discontinued in the Polk Street Neighborhood Commercial District from three years to eighteen months, and making findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 091284 [Mission Bay - Park P21 Improvements]

Ordinance designating a portion of State Trust Parcel 5 East of future Terry A. Francois Boulevard at future Mission Bay Boulevard for public open space and park purposes; naming the new park "Bayfront Park;" accepting and irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting environmental findings and findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No.178,379 and authorizing official acts in connection with this Ordinance. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 091286 [Approval of Second Amendment to the Redevelopment Agency's Ground Lease within Mission Bay North and South Redevelopment Plans]

Resolution approving the Second Amendment to the San Francisco Redevelopment Agency's Ground Lease to add certain additional real property within the Mission Bay South Redevelopment Plan Area to the leased premises and to clarify certain maintenance obligations. (Public Works Department)

Question: Shall this Resolution be ADOPTED?

30. 091288 [Approval of CEQA Findings for SFPUC Harding Park Recycled Water Project]

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation and reporting program and a statement of overriding considerations related to the Harding Park Recycled Water Project, Water System Improvement Program funded Project No. CUW 30204; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Campos, Daly

31. 091015 **[Reimbursement to City for Dignitary Security Provided During Campaign-Related Travel by Elected Officials]**
Sponsors: Mirkarimi; Campos, Avalos and Daly
Ordinance adding a new Chapter 6 to Article III of the Campaign and Governmental Conduct Code, by adding sections 3.600, 3.605 and 3.610, to require City elective officers to reimburse the City for the cost of dignitary security provided by the City during travel for campaign-related activities or meetings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Campos, Daly, Alioto-Pier

32. 091349 **[Appointment to San Francisco LAFCo - Supervisor John Avalos]**
Motion appointing Supervisor John Avalos, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

Present: Supervisors Campos, Daly

33. 091350 **[Appointment to San Francisco LAFCo - Supervisor Eric Mar]**
Motion appointing Supervisor Eric Mar, as an alternate member, term ending February 4, 2014, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 091418)

34. 091419 [Committee of the Whole - Opposing the Stupak-Ellsworth-Pitts Amendment to Restrict Reproductive Choice]
Sponsors: Alioto-Pier; Chu and Maxwell
Hearing of persons interested in or objecting to proposed resolution on file with the Clerk of the Board of Supervisors in File No. 091342 opposing the Stupak-Ellsworth-Pitts Amendment that limits reproductive choice, urging the United States Senate to pass healthcare reform that preserves access to reproductive health services, urging conferees to remove the amendment, and commending members of the California congressional delegation who opposed the amendment.

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

35. 091313 **[Appeal of Tentative Parcel Map for 1673 through 1675 - 11th Avenue]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 29, 2009, affirming the approval of the Tentative Parcel Map to construct a new 2 unit condominium project located at 1673 through 1675 - 11th Avenue, Lot No. 013 in Assessor's Block No. 1932. (Appellant: Rose Tom Tsai) (Clerk of the Board)

(Filed 11/9/09 - Companion Measure to Files 091314, 091315, 001316) (District 7)

12/08/2009; CONTINUED. Continued to December 15, 2009.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

36. 091314 **[Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]**
Motion approving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and approving the Tentative Parcel Map for a 2-unit new construction condominium subdivision located at 1673 through 1675 - 11th Avenue, Assessor's Block No. 1932, Lot No. 013. (Clerk of the Board)

12/08/2009; CONTINUED. Continued to December 15, 2009.

Question: Shall this Motion be APPROVED?

37. 091315 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]

Motion disapproving the decision of the Department of Public Works, finding the Tentative Parcel Map consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1, and disapproving the Tentative Parcel Map for a 2-unit new construction condominium subdivision located at 1673 through 1675 - 11th Avenue, Assessor's Block No. 1932, Lot No. 013. (Clerk of the Board)

12/08/2009; CONTINUED. Continued to December 15, 2009.

Question: Shall this Motion be APPROVED?

38. 091316 [Findings Related to the Tentative Parcel Map for 1673 through 1675 - 11th Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-unit new construction condominium subdivision located at 1673 through 1675 - 11th Avenue, Assessor's Block No. 1932, Lot No. 013. (Clerk of the Board)

12/08/2009; CONTINUED. Continued to December 15, 2009.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

39. 091309 **[Appeal of Determination of Exemption from Environmental Review for 2750 Vallejo Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated May 6, 2009, Case No. 2006.0339E, that a project located at 2750 Vallejo Street is exempt from environmental review under Categorical Exemption, Class 1 [State CEQA, Guidelines, Section15301(e)(1)]. The proposal would alter the facade and construct rear and side horizontal additions to an existing three-story, single-family residence in an RH-1(D) District and a 40-X Height and Bulk District, in Assessor's Block No. 0954, Lot No. 006. (Appellants: Robert A. Byrum and Dona S. Byrum) (Clerk of the Board)

(Filed 11/6/09; Companion Measures to 091310, 0913911, 091312) (District 2)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

40. 091310 **[Affirming the Exemption Determination Issued for the 2750 Vallejo Street Project]**
Motion affirming the exemption determination by the Planning Department that the 2750 Vallejo Street project is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

41. 091311 **[Reversing the Exemption Determination Issued for the 2750 Vallejo Street Project]**
Motion reversing the exemption determination by the Planning Department that the 2750 Vallejo Street project is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

42. 091312 **[Preparation of Findings Related to the Exemption Determination for the 2750 Vallejo Street Project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project at 2750 Vallejo Street is exempt from environmental review. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORT

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, December 14, 2009, at 10:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 15, 2009.

43. 091423 [Accept and Expend Grant - Public Health Emergency Response - $2,151,772]
Sponsor: Mayor
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $2,151,772 from the California Department of Public Health (CDPH), to assist with a project entitled "Public Health Emergency Response;" for the period of July 31, 2009, through July 30, 2010.

Question: Shall this Resolution be ADOPTED?

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Items 44 through 54

44. 091418 **[Committee of the Whole, December 15, 2009, at 3:00 P.M., Opposing Stupak-Ellsworth-Pitts]**
Sponsors: Alioto-Pier, Chu and Maxwell
Motion scheduling a Committee of the Whole at 3:00 P.M. on Tuesday, December 15, 2009, to consider opposing the Stupak-Ellsworth-Pitts Amendment to restrict reproductive choice.

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

45. 091341 **[2010 Board of Supervisors Regular Meeting Schedule]**
Motion approving the 2010 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 19, February 16, May 25, July 6, September 7, October 12, and November 30; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 18 through September 7, 2010, and December 15 through December 31, 2010. (Clerk of the Board)

11/18/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/08/2009; CONTINUED. Continued to December 15, 2009.

Question: Shall this Motion be APPROVED?

46. 091410 **[Accept and Expend Grant – High Risk Program - $37,787]**
Sponsor: Chu
Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the California Department of Food and Agriculture (CDFA) in the amount of $37,787 to prevent infestation of pests from incoming high-risk shipments of plant material from Hawaii, Florida and other southern states; for the period of July 1, 2009, through June 30, 2010.

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 091411 [Seeking Reimbursement from the State of California for Funds Expended by the County]

Sponsors: Mar; Campos and Mirkarimi

Resolution urging state and local officials to obtain reimbursement for funds expended by the City and County of San Francisco to provide legal representation in homicide cases instituted by the Attorney General.

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 091412 [Accept and Expend Grant - San Francisco's Clean Cities Coalition Program - $60,000]

Sponsor: Mar

Resolution authorizing the Department of the Environment (SF Environment) to accept and expend funds from the United States Department of Energy's Office of Energy Efficiency and Renewable Energy Vehicle Technologies Program (being passed through Research and Development Solutions, LLC) in the amount of $60,000 to support San Francisco's Clean Cities Coalition Program and its work related to reducing petroleum use and improving air quality in the City and County of San Francisco.

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 091413 [Support for the First and Mission Site as the Preferred, Fully Environmentally Cleared Site for the California High Speed Rail Station]

Sponsor: Daly

Resolution affirming the Board of Supervisors support for the First and Mission site as the preferred, fully environmentally cleared and under construction location for the California High Speed Rail Northern Terminus and encouraging the California High Speed Rail Authority to do likewise.

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 091414 [Accept and Expend Grant – Probation Response Unit Pilot Project – $100,000]

Sponsor: Maxwell

Resolution authorizing the Juvenile Probation Department (JPD) to retroactively accept and expend a grant in the amount of $100,000 from the Federal Formula Grants Program for the Disproportionate Minority Contact (DMC) Support Project, administered by the Corrections Standards Authority (CSA), for calendar year 2010, to be used for design and implementation of a Probation Response Unit (PRU) pilot project.

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

51. 091415 **[Urging Continued Funding for ARRA SBA 7 (a) and 504 Loan Provisions]**
Sponsor: Chiu
Resolution Urging Continued Funding for ARRA SBA 7 (a) and 504 Loan Provisions as Part of the American Recovery and Reinvestment Act of 2009.

12/09/2009, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

52. 091416 **[Accept and Expend Grant - Implementing Ten Sobriety Checkpoints - $91,608]**
Sponsor: Elsbernd
Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $91,608 from the Federal Department of Transportation through Office of Traffic Safety for the purpose of implementing ten Sobriety Checkpoints in the City and County of San Francisco.

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

53. 091417 **[Urging the State Legislature to Amend the Costa Hawkins Act to Exempt Local Inclusionary Housing Ordinances]**
Sponsor: Chiu
Resolution urging the California Legislature to amend the Costa Hawkins Act to exempt local inclusionary housing ordinances.

12/09/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

54. 091425 **[Commemorating the Bicentennial Year of the Latino Press in the United States]**
Sponsor: Campos
Resolution commemorating the Bicentennial Year of the Latino Press in the United States, and acknowledging the rich contributions of Latinos in the history of American journalism.

12/08/2009; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

55. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires eight (8) votes or a unanimous six (6) or seven (7). A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCE

Proposed ordinance received from December 1, 2009, to December 7, 2009, for reference by President to appriopriate committee on December 15, 2009.

091387 **[Settlement of Lawsuit - San Franciscans for Livable Neighborhoods - $141,692.50]**
Ordinance authorizing settlement of the lawsuit filed by San Franciscans for Livable Neighborhoods against the City and County of San Francisco for $141,692.50 for attorneys' fees; the lawsuit was filed on November 30, 2004, in San Francisco Superior Court, Case No. 504-780; entitled San Franciscans for Livable Neighborhoods v. City and County of San Francisco, et al.; other material terms of said settlement are that payment is to be made in two equal installments, one in calendar year 2010, one in calendar year 2011.

12/02/2009; RECEIVED AND ASSIGNED to the Rules Committee.

PROPOSED RESOLUTIONS

There were none.

091400 **[Petitions and Communications]**

Petitions and Communications received from December 1, 2009, through December 7, 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on December 15, 2009.

From Planning Department, submitting the Annual Report for the Historic Preservation Commission and the Planning Commission for FY 2008-2009. Copy: Each Supervisor (1)

From Planning Department, submitting the General Advertising Sign Program Annual Report for FY 2008-2009. (2)

From Office of the Controller, submitting its audit report of Pacific Park Management, Inc. agreements with the Municipal Transportation Agency (MTA) to manage the Mission Bartlett, North Beach, Vallejo Street and San Francisco General Hospital Garages. Copy: Each Supervisor (3)

From Graffiti Advisory Board, submitting the Graffiti Advisory Board's Annual Report for FY 2008-2009. Copy: Each Supervisor (4)

From Gaea Denker, submitting opposition to proposed project for a soccer field in Golden Gate Park. (5)

From Marcia Perry, submitting opposition to proposed installation of artificial turf in the soccer field in Golden Gate Park. (6)

From Office of the Controller, submitting the unaudited financial statements for FY 2008-2009. Copy: Each Supervisor, Budget and Finance Clerk (7)

From Youth Commission, submitting the quarterly activities report. (8)

From Planning Department, submitting the 2008 Downtown Plan Monitoring Report. This five-year report covers the period between 2002 and 2007 and summarizes business and development trends affecting Downtown San Francisco. (9)

From Richard Skaff, regarding accessibility issues at the Hardly Strictly Bluegrass Festival. (10)

From Heather Schultze, regarding the bike lanes on Scott Street. (11)

From concerned citizens, submitting opposition to proposed legislation to expand rent control laws on buildings built after 1979. Copy: Each Supervisor, 2 letters (12)

From Office of the Treasurer & Tax Collector, submitting the monthly portfolio report for October 2009. Copy: Each Supervisor (13)

From T-Mobile, submitting a notification letter regarding placement of three cellular site antennas at 800 Holloway Avenue. (14)

From San Francisco Public Golf Alliance, urging the Park, Recreation & Open Space Advisory Committee to support the continued operation of the 18-hole Sharp Park Golf Course, in combination with habitat restoration for the frog and snake. (15)

From Peggy Nathan, regarding legislation that requires all persons located in San Francisco to separate recyclables, compostable and land filled trash and participate in recycling and composting programs. (16)

From concerned citizen, requesting an audit of the Tenderloin Housing Clinic. (17)

From Dr. Ahimsa Sumchai, regarding the unanalyzed impact of the proposed Global Compact Center in San Francisco. (18)

From Mohammed Hadeed, regarding the impact of the Cigarette Litter Abatement Fee of $0.20 per pack of cigarettes sold in San Francisco to recover the cost of abating cigarette litter from City streets, sidewalks, and other public property. (19)

From Barbara White, submitting copy of letter sent to the Municipal Transportation Agency requesting a meeting. (20)

From Arthur Evans, regarding recent changes to the Board of Supervisors website that deals with meeting agendas. (21)

From Aaron Goodman, regarding proposed ordinance amending the Section 317 of the Planning Code regarding Demolition and Replacement of Sound Housing. File No. 091038 (22)

From James Corrigan, regarding firefighters and parking in San Francisco. (23)

From Wendy La Riviere, submitting support for full funding for a LAFCo managed Clean Power San Francisco Project that will run San Francisco on 50% renewable energy source within the next decade. (24)

From Mario, regarding the Peer Outreach Workers Exemplifying Recovery (POWER) Program. (25)

From US Army Corps of Engineers, submitting public notice of proposed project to renovate the West Harbor of the San Francisco Marina Yacht Harbor. (26)

From Juvenile Probation Department, responding to inquiry regarding request for an accounting of how the Department uses City funds to comply with Juvenile Probation Department Policy 8.12, the Department's Policy regarding the intake, processing, and release of undocumented minors. (Reference No. 20091103-001) Copy: Supervisor Campos (27)

ADJOURNMENT

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Bindery Ltd.